

Exhibit 13

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION

HONORABLE TERRY PETTEWAY, §
et al., §
Plaintiffs, §
§
VS. § CIVIL ACTION
§ NO. 3:22-cv-00057
§
GALVESTON COUNTY, et al. §
Defendants. §

ORAL AND VIDEOTAPED DEPOSITION OF

CHERYL JOHNSON

FEBRUARY 28, 2023

ORAL AND VIDEOTAPED DEPOSITION of CHERYL JOHNSON

produced as a witness at the instance of the Plaintiff(s) and duly sworn, was taken in the above-styled and numbered cause on February 28, 2023, from 9:10 a.m. to 5:28 p.m., before Molly Carter, Certified Shorthand Reporter in and for the State of Texas, reported by machine shorthand, with all attendees appearing remotely, pursuant to the Federal Rules of Civil Procedure.

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ALSO PRESENT:
Mr. Christopher Archie, Videographer
Mr. Thomas Munk, Concierge Tech
Ms. Samantha Perlman, Legal Intern

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1 THE VIDEOGRAPHER: We are going on the record
2 at 9:10 a.m., February 28, 2023. This is Media Unit 1 of
3 the video-recorded deposition of Cheryl Johnson, taken by
4 counsel for Plaintiff in the matter of Honorable Terry
5 Petteway, et al., versus Galveston County, Texas, et al.,
6 filed in the United States District Court for the
7 Southern District of Texas, Galveston Division, Case
8 Number 3:22-CV-00057.

9 My name is Christopher Archie, representing
10 Veritext, and I'm the videographer. The court reporter
11 is Molly Carter for the firm Veritext.

12 Counsel and all present, including remotely,
13 will now state their appearances and affiliations for the
14 record, beginning with the noticing attorney.

15 MS. GARRETT: This is Kathryn Garrett, here on
16 behalf of NAACP Plaintiffs.

17 MS. COPPER: This is Alexandra Copper, here on
18 behalf of Petteway Plaintiffs.

19 MR. NEWKIRK: Hi. This is Zach Newkirk on
20 behalf of the United States.

21 MS. OLALDE: Angie Olalde, Jordan Raschke Elton
22 and Mateo Forero on behalf of Defendants.

23 THE VIDEOGRAPHER: Okay. If that's everyone,
24 will the court reporter please swear in the witness, and
25 counsel may proceed.

1 CHERYL JOHNSON,

2 having been first duly sworn, testified as follows:

3 E X A M I N A T I O N

4 BY MS. GARRETT:

5 Q Good morning, Ms. Johnson. I appreciate your
6 time today. My name is Kathryn Garrett and I'm one of
7 the lawyers representing the NAACP Plaintiffs in this
8 case.

9 Could you please state your name and full
10 name -- or please state and spell your full name for the
11 record?

12 A Cheryl Johnson, C-H-E-R-Y-L, Johnson,
13 J-O-H-N-S-O-N.

14 Q Have you ever given testimony in a deposition
15 before?

16 A Not that I recall.

17 Q Have you ever given testimony in court before?

18 A Yes.

19 Q So you have a bit of an understanding of what
20 we're doing here today. You have been sworn in and are
21 under oath to give accurate and truthful testimony today
22 just as if you were in court.

23 Before we begin our conversation, I want to go
24 over a few ground rules for how this deposition will
25 proceed. If you have any questions, please let me know.

1 Today we have Molly Carter as our court
2 reporter. She will be making a transcript of everything
3 that occurs on the record today. To help make her job
4 easier and to help ensure an accurate record, I ask that
5 you give oral responses to all of my questions as opposed
6 to non-oral responses such as nodding or shaking your
7 head. Do you agree to do that?

8 A Yes.

9 Q First, if I ask you a question and you answer
10 it, I will assume that you have understood the question.
11 Fair enough?

12 A Yes.

13 Q If you aren't sure if you understand my
14 question, please feel free to ask me and I will clarify
15 or rephrase my question.

16 It's also important that we not interrupt or
17 talk over each other. I'll do my best not to interrupt
18 you when you are speaking, and in return, I ask that you
19 wait until I finish my question before answering.

20 In addition, if your lawyer decides to object
21 to any of my questions, they will want to do so before
22 you answer.

23 Do you agree to do that?

24 A Yes.

25 Q I'm going to ask you some questions that take

1 us back in time. Other than the passage of time, is
2 there any reason you can think of why you would not be
3 able to accurately recall things that have happened in
4 the past?

5 A No.

6 Q You are not on any medication that may affect
7 your memory today; is that right?

8 A That's right, I'm not.

9 Q And you are not under the influence of anything
10 that may affect your memory today?

11 A No, I am not.

12 Q As mentioned, your lawyer may object to some of
13 my questions. Unless they instruct you not to answer,
14 you still do have to answer the question. Does that make
15 sense?

16 A Yes.

17 Q Other to -- other than to consult with your
18 attorney about issues of privilege, you cannot
19 communicate with anyone else about the questions I am
20 asking or about your testimony. Do you understand that?

21 A Yes.

22 Q Is there anybody else in the room with you
23 today?

24 A Yes.

25 Q Who is in the room with you today?

1 A Angie, Jordan and Zach.

2 Q Also, please make sure that your cell phone is
3 turned off and that you're not able to see or view
4 notifications during the deposition.

5 You are not allowed to consult any written,
6 printed or electronic information unless that information
7 is provided to you by me or others -- or other attorneys
8 asking questions today during the deposition.

9 Do you agree to do that?

10 A Yes.

11 Q With that, do you have any documents in front
12 of you today?

13 A No, I do not.

14 Q If you need a break at any point during the
15 deposition, please let me know and we will accommodate
16 that. Please note that if I have just asked you a
17 question, I will ask you to respond before we take that
18 break.

19 And as a final note, this case is consolidated
20 with cases brought by Terry Petteway and other
21 individuals, as well as the Department of Justice,
22 against Galveston County in the Southern District of
23 Texas. Both the Department of Justice and counsel for
24 the Petteway Plaintiffs will have an opportunity to ask
25 you questions later today as well.

1 So our first question for you, how long have
2 you lived in Galveston County?

3 A Since 1983.

4 Q Where did you grow up?

5 A Actually, I've been in Galveston County since
6 1999.

7 Q Where did you grow up prior to moving to
8 Galveston County?

9 A I grew -- I was born in New Jersey, and I grew
10 up there and in Pennsylvania.

11 Q Are you affiliated with or a member of any
12 local Galveston County organizations?

13 A Yes.

14 Q Which ones?

15 A The Santa Fe, Galveston, League City and
16 Hitchcock Chambers of Commerce, the Galveston Republican
17 Women and the Texas Gulf Coast Republican Women. I'm
18 also associated with the Texas Assessor-Collectors
19 Association.

20 Q For how long have you been a member of those
21 organizations?

22 A Various amounts of time.

23 Q Which one have you been a member of for the
24 longest period of time?

25 A The Chambers of Commerce.

1 Q Do you hold positions within these
2 organizations?

3 A No, I do not.

4 Q How much time do you devote to these
5 organizations generally?

6 A Typically an -- an hour a month.

7 Q For each or total?

8 A For each, depending on their meeting schedules.

9 Q Are you at all affiliated with the NAACP?

10 A No, I am not.

11 Q Are you affiliated with LULAC, the League of
12 United Latin American Citizens?

13 A Would you repeat the question?

14 Q Yes. Are you affiliated with LULAC?

15 A No, I am not.

16 Q Can you describe your educational background?

17 A I am a professional certified collector and a
18 certified tax office professional through the TACA, which
19 is the Texas Association -- or Assessor-Collectors
20 Association. I formally had a license with TDRL as a
21 Texas assessor-collector. I am a previous real estate --
22 licensed real estate agent in both Texas and
23 South Carolina. I have an associate's degree from
24 San Jacinto College.

25 Q What did you study or what was your associate's

1 degree in?

2 A Business administration.

3 Q Any education beyond the associate's degree,
4 and the other licenses and certifications you mentioned?

5 A I've had over 300 hours in continuing education
6 as a licensed real estate agent at various institutions,
7 including University of North Carolina and Baylor
8 College.

9 Q What was your first job after you earned your
10 associate's degree?

11 A I was the director of information services at
12 the Galveston Central Appraisal District.

13 Q What other jobs did you work after that?

14 A Tax assessor-collector.

15 Q And is that your current job in Galveston
16 County that you're referring to?

17 A Yes, ma'am.

18 Q So to confirm, did you have any other jobs
19 prior to your current job, other than the ones you've
20 already mentioned?

21 A I've had prior jobs throughout my life.

22 Q What were some of those jobs?

23 A I was a real estate appraiser both in Texas and
24 in South Carolina. I've had a small business doing
25 demographic work for a short time period. And I've

1 worked in a variety of real estate-related fields,
2 including architectural firms, real estate offices and
3 real estate appraisal firms.

4 Q Can you tell me about -- a little bit more
5 about the small business that you mentioned?

6 A It was called Demographic Profile Associates.
7 It was strictly information that we would gather to
8 assist governments with writing grants.

9 Q And for what years did you have that small
10 business?

11 A I believe it was 2001 and '02.

12 Q And where was that business located?

13 A We worked from our homes.

14 Q And which -- you mentioned that you provided
15 information to government entities; is that right?

16 A Yes, ma'am.

17 Q Which government entities did you provide that
18 information to?

19 A The City of Bay City was our primary
20 governmental entity that we assisted with -- with
21 demographic work for grants.

22 Q And what kind of demographic information did
23 you collect?

24 A Typically census data.

25 Q And then what would you do with that census

1 data when you -- how did you process it to give it to
2 different various government entities?

3 A We would put it into charts and graphs, and
4 sometimes summarize in paragraph form, depending on what
5 their needs were.

6 Q What were some of those needs that they had?

7 A Obtaining grants from the federal government.

8 Q So today you work for Galveston County; is that
9 right?

10 A I work for the voters of Galveston County.

11 Q Voters of Galveston County. And how long have
12 you worked for the voters of Galveston County?

13 A 18 years.

14 Q And what is your job title?

15 A Galveston County tax assessor-collector.

16 Q Do you have any other titles?

17 A I'm also voter registrar.

18 Q How do those two roles or job titles overlap?

19 A By virtue of being the tax assessor-collector,
20 I am the voter registrar.

21 Q And how did you get that job? Did you apply
22 for it?

23 A No. I ran for public office.

24 Q When were you first elected?

25 A 2004.

1 Q And how many times have you been elected?

2 A I -- I don't remember. I guess eight times.

3 I've served 18 years, so six times.

4 Q When were you last elected?

5 A 2020.

6 Q Did you run opposed in that election?

7 A In the primary, yes.

8 Q In the primary. And which primary was that?

9 A The Republican primary.

10 Q Have you always been a member of the Republican
11 party?

12 A No.

13 Q When did you become a member of the Republican
14 party?

15 A You become a member of a party by virtue of
16 running for office in that primary or by voting in that
17 primary in Texas.

18 Q Have you always run as a Republican in
19 elections?

20 A No. When I was on the school board, it was a
21 nonpartisan position.

22 Q To what extent were you involved in politics
23 prior to your current job?

24 A I was on the school board in Clear Creek ISD
25 for two terms -- three terms.

1 Q Do you hold any titles or positions within the
2 Republican party?

3 A No.

4 Q How often do you attend GOP meetings as it
5 relates to your -- or do you -- how often do you attend
6 GOP meetings, if you attend?

7 A I've never necessarily attended a GOP meeting.

8 Q In general, can you describe your 2020 campaign
9 process?

10 A The process? You sign up the December before
11 to run in the primary, which I did, and you run in the
12 primary. And I was unopposed in the November election.

13 Q Did you hold or conduct any events as part of
14 that campaign?

15 A Yes, ma'am.

16 Q Which events did you hold?

17 A Probably too many to recall all. Campaign
18 fundraisers predominantly. Town hall meetings. I
19 attended candidate forums.

20 Q Did you campaign in any majority or minority
21 neighborhoods?

22 A I don't recall.

23 Q Did you meet with any community groups?

24 A Not that I recall specifically. If a group had
25 a forum, I certainly attended.

1 Q Did the 2011 redistricting cycle come up during
2 your 2020 campaign at all?

3 A Not that I recall.

4 Q So as the Galveston County tax
5 assessor-collector, what are your responsibilities
6 generally?

7 A I assess, which is calculation, and collect
8 taxes on properties in both Galveston and Harris
9 counties. For 36 jurisdictions, I am the voter
10 registrar. We also work on behalf of the -- the
11 Secretary of State in that capacity. The Texas
12 Department of Motor Vehicles performing registration and
13 titling services. Texas Parks and Wildlife performing
14 licensing of water vessels. Texas Alcoholic Beverage
15 Commission processing liquor licenses. And that's
16 basically all that I recall off the top of my head.

17 Q You mentioned that the voter registrar works
18 with the Secretary of State, is that right --

19 A Yes.

20 Q -- in your role as voter registrar?

21 A Yes.

22 Q And does that -- is it -- what is your role
23 with the redistricting process specifically for the
24 commissioners precinct lines, either as voter registrar
25 or tax assessor-collector?

1 A Our primary function is to receive changes that
2 are made to various -- various election precincts and
3 implement those changes into the TEAM, Texas Election
4 Administration Management system, that we are associated
5 with through the Secretary of State. So predominantly
6 and pretty much solely, it's updating boundaries as they
7 are provided -- updating the entitlements associated with
8 the boundaries that are adopted by the local governments.

9 Q Have you used the TEAM system for the full
10 duration of your time with Galveston County?

11 A The Secretary of State performed an update into
12 TEAM, I believe, in 2006 or '07. The prior system was
13 TDRS. And before that the county had a private software
14 company. I believe it was Netdata.

15 Q Do you have a say or an opinion in how any of
16 those boundaries are drawn?

17 A No, ma'am.

18 Q Does your office collect voter data with
19 respect to any racial demographics of voters in Galveston
20 County?

21 A Only when required by the Secretary of State.

22 Q Under what circumstances does the Secretary of
23 State require that data to be collected?

24 A It's actually extracted from the TEAM system.
25 And I bel- -- I'm not certain how they identify what

1 is -- how -- how those are all specified.

2 Q Does your office collect voter data with
3 respect to any socioeconomic demographics of voters in
4 Galveston County?

5 A No.

6 Q Does your office collect voter data with
7 respect to any political demographics of voters in
8 Galveston County?

9 A The only process would be if we are requested
10 through open records request to provide voters in the
11 Democrat or Republican primary elections.

12 Q So of this -- of any voter data that you
13 collect, who is this information shared with?

14 A Whoever the requester is in the open records
15 request.

16 Q Have any of the Galveston County commissioners
17 or county judge requested this voter data information
18 from you?

19 MS. OLALDE: Objection, overbroad in regards to
20 what time you're talking about.

21 MS. GARRETT: I can rephrase.

22 Q (By Ms. Garrett) During the 2021 redistricting
23 cycle, did any of the commissioners or Judge Mark Henry
24 request any voter data from your office?

25 A Not that I recall.

1 Q How do you communicate with localities in
2 Galveston County on their redistricting?

3 A Typically through emails and only as a planning
4 process, part of a planning process.

5 Q Can you describe that planning process a little
6 bit more?

7 A In anticipation of -- since receipt of census
8 data, we have multiple jurisdictions that have single
9 member districts, and I will reach out to them to have --
10 ask them to share their schedules, what their timelines
11 might be, so that I can properly staff my office and
12 obtain funding, if necessary, through commissioners to
13 perform whatever changes we're going to have to make to
14 the entitlements and the boundaries that they adopt.

15 Q So you mentioned hiring, or bringing in staff.
16 Where do you pull in staff members from? Do you hire
17 temporary staff? Do you bring them in from other parts
18 of your office? What do you mean by bringing in staff or
19 working on staff?

20 A In some instances it's bringing in current
21 staff. We've had the same problem as everybody else in
22 the country hiring temporary workers, but predominantly
23 we advertise for temporary workers 24/7 on the county
24 website.

25 Q And that's 24/7 just during redistricting or --

1 A Year-round.

2 Q -- as a general rule? Year-round?

3 A As a general rule.

4 Q And then you mentioned funding. What
5 funding -- the fund -- what are the funding sources that
6 your office seeks for redistricting?

7 A That would be through county commissioners and
8 the budget process.

9 Q Who typically sets that budget?

10 A The county commissioners.

11 Q Do you get to express an opinion about what
12 that budget should be?

13 A I submit a requested proposed budget to them.

14 Q And how often do you submit a requested budget
15 proposal?

16 A Annually. Sometimes it has to be revised and
17 we submit additional requests up until they actually
18 adopt the budget, if necessary.

19 Q And is that around a similar time each year,
20 the same month every year you submit that?

21 A Yeah. Typically begins in April.

22 Q And then what information do you typically need
23 to put that budget together?

24 A 95 percent of my budget is staffing, and so we
25 project -- we look at projections, look at history and

1 projections on the work that we anticipate through the
2 next year and try to set that budget. Sometimes it's --
3 at different times we have to hire vendors to assist us.
4 For example, this year is mass mailout, so we will seek a
5 vendor to help us fund the mass mailout of voter
6 registration certificates that will occur later this
7 year.

8 Q Can you describe the people that are in your
9 office?

10 MS. OLALDE: Objection, vague.

11 Q (By Ms. Garrett) How many people work in your
12 office?

13 A Counting myself, 53.

14 Q Of those 53, how many people do you directly
15 supervise?

16 A I have direct contact with two chief deputies
17 daily, but also a support services team.

18 Q And are they all full-time staff?

19 A Yes.

20 Q How often do you meet with those that you
21 directly supervise?

22 A Daily.

23 Q Are those individuals involved in
24 redistricting?

25 A I beg your pardon? Would you repeat the

1 question?

2 Q Sure. Are those individuals that you supervise
3 involved in redistricting?

4 MS. OLALDE: Objection, vague.

5 You can answer.

6 THE WITNESS: I can answer?

7 MS. OLALDE: Uh-huh. Any time I make an
8 objection, unless I'm instructing you not to answer, you
9 can answer --

10 THE WITNESS: I can answer, okay.

11 MS. OLALDE: -- to the extent you understand
12 her question.

13 A The chief deputy of business services oversees
14 voter registration, and so her and I work together on
15 performing the entitlement changes. The support services
16 staff assist in the auditing once changes are made in the
17 system, and that's three individuals.

18 Q (By Ms. Garrett) Does anyone supervise you?

19 A The voters of Galveston County.

20 Q How do you typically communicate with the other
21 individuals in your office?

22 A In person, frequently through email. I have
23 four different locations -- three different locations
24 outside of Galveston and two satellite offices, so email
25 is the primary source of communication with office staff.

1 Q How many emails do you have? Do you use your
2 personal email for work at all?

3 A I do my very best not to use my personal email
4 for work.

5 Q Do you ever text with members of your staff?

6 A Yes, we have county cell phones and we will
7 text each other occasionally, predominantly during
8 disasters when we cannot communicate effectively any
9 other way.

10 Q And then you mentioned that you work with two
11 chief officers daily; is that right?

12 A Would you repeat that? I'm sorry.

13 Q Is it -- am I accurate in saying that you work
14 with two chief officers on a daily basis in your office?

15 A Chief deputies on a daily basis, if not in
16 person, then via telephone or email.

17 Q And what are their names?

18 A LaTonya Dominic is the chief deputy of property
19 tax and support services, and Kathleen Moreno is the
20 chief deputy of business services.

21 Q So you mentioned that in your role as voter
22 registrar, you work with the Texas Secretary of State.
23 Could you describe a little bit more about that
24 relationship?

25 A Predominantly, we receive directives from them.

1 We attend annual conferences. Some of us attend annual
2 conferences, after -- typically at the end of summer
3 after legislative session is when most of us attend
4 those. Predominantly, directives we receive via email,
5 and then they provide work to my staff, my voter
6 registration department staff and what's called the task
7 summary screen system of TEAM. We're an online county
8 with the Secretary of State.

9 Q How often do you correspond with the Texas
10 Secretary of State?

11 A As often as they correspond with me.

12 Q How often is that, typically, on an average
13 basis?

14 A It depends on what's going on. During
15 elections, it's frequently. Over the last several weeks,
16 they've been holding webinars and sending out -- out
17 schedules pretty regularly, a couple of times a week.

18 Q In 2021, did you keep track of the state
19 legislature's actions in conducting statewide
20 redistricting?

21 A Not really. It became too delayed. It was
22 very hard to keep up with.

23 Q What were the reasons for that delay?

24 MS. OLALDE: Objection, calls for speculation.
25 To the extent you know, you can answer.

1 A The census data was late this year -- or in
2 2021. 2020 census data was not released until later than
3 typical.

4 Q (By Ms. Garrett) Have you ever used your
5 personal email for work?

6 A Occasionally to send files so that I can print
7 them on the home printer if I'm working from home.

8 Q So you would use it to email yourself but not
9 others. Is that accurate?

10 A I would say that that's accurate.

11 Q When did you first learn about this litigation?

12 A Which litigation? The 2011 redistricting? I
13 think they all were rolled together.

14 Q This current litigation that we are in this
15 deposition for.

16 A Whenever the newspaper put it in the --
17 whenever it was published in the newspaper as a news
18 article, and I do not recall when that was.

19 Q Did you read that news article pretty shortly
20 after it was published?

21 A I do not recall. I would have -- I receive the
22 paper daily.

23 Q What news sources do you typically consult?

24 A Do I consult? The Galveston Daily News is a
25 local paper. The Post is another local newspaper. As

1 far as news sources that I consult, I watch the morning
2 news. I watch sometimes the evening news. I
3 occasionally receive smart news on my tablet.

4 Q Other than from the news, did you hear about
5 this litigation from anyone else?

6 MS. OLALDE: Objection, overbroad.

7 You can answer.

8 THE WITNESS: I can answer?

9 MS. OLALDE: Sure.

10 A Not that I recall specifically.

11 Q (By Ms. Garrett) Are you familiar with the
12 allegations in this litigation?

13 A Not specifically.

14 Q You mentioned that you've provided testimony in
15 court before; is that right?

16 A Yes, ma'am.

17 Q Under what circumstances did you provide that
18 testimony?

19 A It was a lawsuit, I believe, in 2012 in federal
20 court in which I was named along with the Secretary of
21 State. I believe the Plaintiff was Voting for America.

22 Q And what was that case about?

23 A The legislature had adopted rules and
24 regula- -- or laws for volunteer deputy registrars, and I
25 had worked with various legislators on passage of that

1 legislation.

2 Q And which legislation was at issue in that
3 case?

4 A I don't remember specifically the chapters of
5 the election code, but it would have been pertaining to
6 volunteer deputy registrars.

7 Q Did you meet with anyone to prepare for this
8 deposition?

9 A The attorneys that are present in this room,
10 Angie and Jordan.

11 Q How many times did you meet with them?

12 A Twice.

13 Q And for how long did you meet with them?

14 A I think a couple of hours on one day and maybe
15 four hours the next day.

16 Q And how long ago was that?

17 A Last week.

18 Q And was anybody else in the room when you met
19 with your attorneys?

20 A Angie was in the room. Others attended via
21 Zoom.

22 Q Who else was on Zoom when you met with Angie in
23 preparation for this deposition?

24 A I'm not sure I know the names of everybody.
25 Jordan, Mytelka --

1 MS. OLALDE: Kathryn, I can represent to you
2 that it was only attorneys speaking with Ms. Johnson, if
3 that helps. She may not remember all the names.

4 A I don't remember all the names. I'm not
5 sure who's -- I may have been introduced to everybody,
6 but I don't recall.

7 Q (By Ms. Garrett) Are you aware that other
8 individuals have been deposed in this matter?

9 A I have been told that, yes.

10 Q Did you speak with any of those individuals
11 about their testimony?

12 A I did not speak with them about their
13 testimony.

14 Q Did you review any documents in preparation for
15 this deposition?

16 A Only those that were presented as exhibits by
17 Angie.

18 Q What types of documents did you review?

19 A There were news articles. I think that was the
20 predominant, I guess, column I had written. Some emails.

21 Q How did you review these documents? Did you
22 see them on a screen? Were they on paper?

23 A They were on paper.

24 Q Did these documents refresh your memory of
25 events and conversations?

1 A Yes, they did.

2 Q Which documents refreshed your recollection of
3 the events and conversations?

4 A Each of the documents that was presented
5 refreshed my memory.

6 Q So you mentioned news articles. Which -- what
7 was -- or what were these news articles about that you
8 reviewed?

9 A A couple of them pertained to the primary
10 election in 2020. Another pertained to a decision -- or
11 actually, a vote taken by the Texas Department of Motor
12 Vehicles board, of which I was a member. And another was
13 a guest column that I had written.

14 Q And what was that article that you wrote about?

15 A We were receiving many phone calls from voters
16 whose voter certificates had expired and they were
17 concerned they would not be able to vote in the upcoming
18 election. So I wrote a new information piece to inform
19 them of what was underway, what was going on, and that
20 was during the 2011 redistricting process.

21 Q And then the emails that you reviewed, what
22 were those emails related to?

23 A Predominantly my communications with the
24 various governments that have single member districts in
25 Galveston County that I would be assisting with changing

1 their entitlements upon their decisions.

2 Q And what time period were these emails from?

3 A I believe the first one I wrote was in December
4 2019.

5 Q Were the articles and emails that you reviewed
6 in this -- it's probably best answered by your
7 attorney -- were these produced to Plaintiffs?

8 MS. OLALDE: Yes, Ms. Garrett, they were. I'm
9 sorry, rephrase your question and I'll do my best to
10 answer for you.

11 MS. GARRETT: Rephrase? I can rephrase.

12 Q (By Ms. Garrett) Of the documents that
13 Ms. Johnson reviewed, were these all produced to
14 Plaintiffs?

15 MS. OLALDE: Everything she reviewed -- I don't
16 know about the news articles, you'd have to speak with
17 Sean. I think that's all publicly available anyway.

18 Q (By Ms. Garrett) How else did you prepare for
19 this deposition?

20 A I tried to get a good night's sleep and not
21 drink espresso.

22 Q What is your office's role in commissioners
23 precinct redistricting in Galveston County?

24 MS. OLALDE: Objection, asked and answered.
25 But you can answer.

1 A I have no role in the decision-making process.

2 My role is strictly in the implementation of making the

3 changes, implementing the changes in -- in TEAM to ensure

4 that the voting precincts were properly changed.

5 Q (By Ms. Garrett) Is that similar to statewide

6 redistricting? Is your role similar for statewide

7 redistricting?

8 A I'm not -- I'm not sure I understand the

9 question.

10 Q I guess --

11 A Could you rephrase that?

12 Q Yes. Let me ask it this way. What is your

13 office's role in statewide redistricting?

14 A We receive notification or we read in the
15 newspaper sometimes that the legislature has acted to --
16 and through the Secretary of State's emails as well, that
17 the legislature has voted to approve congressional
18 districts, House and Senate districts, and State Board of
19 Education. And upon that notification, we have to go out
20 and seek the maps.

21 Q What do you mean by you "have to go out and
22 seek the maps"?

23 A Nothing was specifically provided to us, that I
24 recall. We had to go to State of Texas websites to
25 download the PDF files of changes.

1 Q So looking to specifically commissioners
2 precinct redistricting, to your knowledge, who typically
3 draws the commissioner precinct maps?

4 A The county commissioners and county judge.

5 Q And then to your knowledge, who selects the
6 commissioners' precinct maps?

7 A The county commissioners and county judge.

8 Q You mentioned that you collect PDF files of the
9 maps from the Secretary of State website; is that right?

10 A I'm not sure they were on the Secretary of
11 State website. I do not recall where the link was taking
12 us.

13 Q But you went out and you sought out the map and
14 you received a PDF file; is that right?

15 A Yes. We would download the PDF files from
16 links that would be provided.

17 Q And then what would you do with that PDF file?

18 A After saving it on my computer, trying to print
19 a big enough copy that I could determine what changes
20 would need to be made to our various voting precincts in
21 order to implement those changes.

22 Q Was that something that you did -- you
23 mentioned that you printed the file. So in evaluating
24 the changes that need to be made, is that something you
25 did by hand or did you use a computer software program?

1 A I wish I had a computer software program. So
2 we would take the 2011 maps and compare those manually to
3 the adopted maps, and it was my job to identify the
4 changes, the areas of change, so that we could begin
5 implementation.

6 Q How long did that typically take to make note
7 of those changes?

8 A This last time, not very much. Maybe
9 overnight, a couple of days.

10 Q What was your process for manually comparing
11 the maps?

12 A I'd look at the prior, at the time, existing
13 maps and compared them to the approved maps, the adopted
14 maps, and try to identify specific areas. We were
15 fortunate in that the legislature moved entire election
16 or voting precincts when they made changes, so it was a
17 fairly simple process for us to identify what voting
18 precincts needed to be changed for each one of the
19 various positions.

20 Q And again, you did this for every map that you
21 helped implement?

22 MS. OLALDE: Objection, vague.

23 A And I may answer that. I'm not certain I
24 understand the question.

25 MS. OLALDE: So any time you don't understand a

1 question, you can ask her to --

2 THE WITNESS: Yes.

3 MS. OLALDE: -- clarify the --

4 A If you could clarify that.

5 Q (By Ms. Garrett) For which maps would you
6 manually compare? Which maps did you manually compare?

7 A The -- the 2011 maps that had been adopted and
8 that were in place at the time to the maps that were
9 adopted for each one of the jurisdictions, for each one
10 of the positions for the state.

11 Q How many jurisdictions did you have to compare
12 for the state?

13 A For the state, we looked at U.S. congressional,
14 and there were no changes in Galveston County that
15 affected us. Texas Senate, there were no changes that
16 affected -- well, I take that back. There could have
17 been changes to Brandon Creighton's district, the Texas
18 Senate position. But I looked at those only as they
19 affected Galveston County. And Texas House, there were
20 several changes for the Texas House, and there were
21 multiple changes for the State Board of Education.

22 Q So is it the case that it's easier to manually
23 compare these maps when the voting precincts are kept
24 whole in the adopted map?

25 A Yes. Using the Texas Secretary of State's

1 redistricting module, that was the easiest method of
2 making changes.

3 Q So once you've manually compared the maps, what
4 is the next step?

5 A For the state level, the next step would be to
6 provide a listing of changes to Ms. Moreno, and she would
7 provide that information to the voter registration
8 personnel at the time working on those changes.

9 Q In 2021, when did you manually compare the maps
10 and share this information with Ms. Moreno?

11 A To clarify, are you referring to the state and
12 federal changes?

13 Q Yes.

14 A It would have been in December 2021.

15 Q Did you have a deadline, a strict deadline to
16 meet for getting those -- for finishing that manual
17 comparison and sharing that information with Ms. Moreno?

18 Was there a hard deadline?

19 A There was a hard deadline established by the
20 Secretary of State for us to mail out voter registration
21 certificates. Those changes needed to be made in advance
22 of generating the file to send to the print vendor.

23 Q Do you recall when that deadline was?

24 A Without referring to that election advisory,
25 no. I believe it was mid-January.

1 Q To what extent is redistricting performed
2 in-house?

3 THE REPORTER: In what? I'm sorry?

4 A We don't perform redistricting in-house. When
5 I refer to redistricting, it is the process of receiving
6 the changes, whether in the form of maps initially, maps
7 and shapefiles, and turning those into usable --
8 comparing those to our street range list to determine
9 where the changes are that need to be made.

10 And I'm not sure I fully answered your
11 question. If you want to repeat it, I can validate that.

12 MS. GARRETT: Real fast, are we all set up with
13 Exhibit Share at this point? Do we all have access to
14 Exhibit Share?

15 MS. OLALDE: Ms. Garrett, I do, thank you for
16 asking.

17 Q (By Ms. Garrett) I would like to mark Tab 10 as
18 an exhibit.

19 MS. OLALDE: I'll let you know when it pops up.

20 MS. GARRETT: Thank you.

21 THE REPORTER: May I ask who is speaking?

22 MS. OLALDE: This is Angie Olalde. I
23 apologize. You won't see my box light up because I'm
24 using Ms. Johnson's speaker.

25 MR. MUNK: Exhibit 1 has been introduced.

1 Q (By Ms. Garrett) Ms. Johnson, can you see
2 Exhibit 1?

3 MS. OLALDE: Just one moment. Is there --
4 okay. Let's see.

5 A Yes, I can see it.

6 Q (By Ms. Garrett) Do you recognize this
7 document?

8 A It appears to be my campaign website.

9 Q I'm looking at the top of Page 2. There's a
10 bullet point that reads "Established" -- or it mentions
11 ways you reduce costs. In the last bullet point in that
12 box, it reads "Established automated motor vehicle
13 registration & tax payment processing, performed
14 redistricting in-house." Did I read that correctly?

15 A Yes, ma'am.

16 Q In that -- as part of your campaign page, what
17 does that mean to perform redistricting in-house?

18 A What that means to me as voter registrar is
19 that we received maps and data, data files from the
20 various governmental entities and updated the boundaries
21 as appropriate to update the voter registration
22 entitlements.

23 Q Why did you include this as part of your
24 campaign page?

25 A Because it was an enormous task, and we saved

1 thousands of dollars, I believe, by virtue of not hiring
2 outside vendors to make those changes.

3 Q Other than saving money, are there any other
4 advantages to conducting redistricting in-house in this
5 way that you were just discussing?

6 A In what I'm referencing, the advantage was, we
7 were going to have to audit anything a vendor did anyway,
8 so we were able to establish timelines, perform the work,
9 and have teams put together to audit the work as the work
10 was being performed. So it was a very efficient process.

11 Q Was redistricting completed in-house in this
12 way both in 2011 and 2021?

13 A Yes. In 2011, it became necessary to hire a
14 vendor to assist with Galveston Island changes because
15 they were so complex. We did not have any vendors in
16 this most recent update.

17 Q And your office was fully equipped to handle
18 this redistricting process, especially with the budget
19 and temporary staff that you were able to bring on?

20 A In 2011?

21 Q Or in 2021.

22 A We've made it work.

23 Q What were your goals for the 2021 redistricting
24 process?

25 A To implement the changes properly.

1 Q Did you have any other goals?

2 A I think that that's a pretty sizeable goal in
3 itself. It's a very short response, but it's a massive
4 operation, massive task.

5 Q In 2021, how much of your time was spent on
6 this redistricting process?

7 A From beginning to end?

8 Q Yes.

9 A Probably anywhere from 20 to 60 hours a week
10 for several months. We only recently made changes for
11 the City of La Marque and Texas City and College of the
12 Mainland.

13 Q And at what point in 2021 did that 20 to 60
14 hours a week begin? Was it January 2021? July 2021?
15 What month, roughly, did that process begin for your
16 office?

17 A We may have started some work in November, but
18 predominantly, it was December.

19 Q To what extent was your office involved in
20 redistricting prior to a map being adopted?

21 A We were not involved in the decision-making
22 process. My only -- our only involvement or my only
23 involvement was to determine a schedule so that I could
24 assign staff or know when I needed staff available in
25 order to make the changes.

1 Q How did you go about creating a schedule for
2 redistricting?

3 A Once we identified the entities that were going
4 to need changes, I tried to stay in touch with them --
5 not very successfully, I will say -- to know when those
6 changes would be expected and to plan my staffing
7 accordingly -- accordingly. And I needed temporary
8 workers to perform the normal duties of voter
9 registration so that my full-time staff could make
10 changes as necessary.

11 Q You mentioned reaching out to entities, did
12 that include the Galveston County Commissioners Court?

13 A Yes, ma'am.

14 Q And who on the Galveston County Commissioners
15 Court did you reach out to when you were putting together
16 these schedules?

17 A All of the courts, the commissioners, county
18 judge and commissioners and their chiefs of staff.

19 Q When -- do you recall when you first reached
20 out to them for the 2021 redistricting cycle?

21 A I believe it was December 2019 when I first
22 reached out to everybody. And then at various times as
23 we would get notification or I would read that the
24 government -- U.S. government was actually in the process
25 of providing census data, I would try and reach out to

1 them again.

2 Q What information from these entities was most
3 helpful for you as you were putting together schedules?

4 A Their timelines, what months. I believe the
5 very first entity that provided changes was the City of
6 Galveston.

7 Q And by "timeline," do you mean timeline for
8 selecting the adopted map?

9 A The timeline of implementing the maps that they
10 adopted.

11 Q So did you want to know when they planned to
12 adopt the map?

13 A Yes, ma'am.

14 Q Did you want to know when they might be meeting
15 to discuss adoption of the map or selecting a map?

16 A I asked for that information, and I can't say
17 that they were very responsive.

18 Q Was the Galves- -- to what extent was the
19 Galveston County Commissioners Court responsive to your
20 requests in 2021?

21 A I don't recall receiving any responses from
22 Galveston County Commissioners Court to my emails.

23 MS. OLALDE: I'm sorry, we've been going about
24 an hour. Just whenever we get to a breaking point, could
25 we take a short break?

1 MS. GARRETT: We could take a break now, if
2 that works for you.

3 MS. OLALDE: Sure.

4 MS. GARRETT: Could we go off the record?

5 THE VIDEOGRAPHER: Okay. Current time is
6 10:16. We are now off the record.

7 (Recess.)

8 THE VIDEOGRAPHER: Current time is 10:41 a.m.,
9 and we're now back on the record.

10 Q (By Ms. Garrett) Ms. Johnson, did you speak
11 with anyone during the break?

12 A Yes.

13 Q With whom did you speak?

14 A To those present in the room, Jordan, Angie and
15 Zach.

16 Q Is it still the case that only those
17 individuals are in the room with you now?

18 A Yes, ma'am.

19 Q And is it still the case that you have no
20 documents in front of you today?

21 A Yes, ma'am.

22 Q Do you know Nathan Sigler?

23 A Yes.

24 Q For how long have you known him?

25 A I've known him well -- well, more -- during

1 redistricting, we developed a relationship as far as
2 working closer together when the redistricting for the
3 county began.

4 Q And by "redistricting," you mean 2021
5 redistricting?

6 A Yes. The only time that I really interact with
7 Nathan is when I need maps from the engineering
8 department, and he is -- he is my point of contact.

9 Q Is he a point of contact when you're doing
10 those manual comparisons of the maps that you were
11 testifying about earlier?

12 A To some extent, yes. He would provide lists of
13 precincts to me.

14 Q How often during the 2021 redistricting did you
15 correspond with Nathan Sigler?

16 A I would be guessing, but I would probably say
17 multiple times a day at times.

18 Q And in general, how did you communicate with
19 him? Via email? Phone? In person?

20 A Email would oftentimes result in an in-person
21 meeting receiving the maps or he would come up to our
22 office to answer questions and to help us use his GIS
23 system.

24 Q What kinds of questions would you ask him?

25 A Just what maps were available, what he could

1 give me, how to use the technology effectively, getting
2 permissions for -- to use his maps. He gave me his
3 administrative access.

4 Q And then you mentioned technology. What did
5 the technology enable you to do with the maps?

6 A To zoom in, to oftentimes put in an address to
7 determine what -- an area where a -- a particular voter
8 may be located or to zoom in on a boundary.

9 Q And were you able to use that technology when
10 you were doing the manual comparisons of the maps, or
11 were you -- only had your eyesight for those comparisons?

12 A The comparisons were frequently performed
13 comparing spreadsheets and then validating on the maps.

14 Q Are you aware of Nathan Sigler's communications
15 or correspondence with any of the entities that you were
16 looking to get in touch with during redistricting in
17 2021?

18 A Would you repeat the beginning of that
19 statement?

20 Q Yeah. Were you aware of Nathan Sigler
21 corresponding with any of the entities that you were
22 reaching out to during the 2021 redistricting process,
23 such as the Galveston County Commissioners Court or any
24 other entity?

25 A I'm not certain what his correspondence was

1 with the County Commissioners. We -- I would loop him
2 into emails with the other entities when I was forwarding
3 shapefiles to him for printed -- to obtain printed maps.

4 Q Do you know Michael Shannon?

5 A Yes, I do.

6 Q And for how long have you known Michael
7 Shannon?

8 A For as long as he's been the county engineer.

9 Q And do you work directly with Michael Shannon?

10 A Rarely.

11 Q Rarely?

12 A Yes.

13 Q Does Michael Shannon work with any members of
14 your staff?

15 A No.

16 Q Do you know Stephen Holmes?

17 A Yes, I do.

18 Q How long have you known Stephen Holmes for?

19 A Since I took office January 1st, 2005.

20 Q And how would you characterize your working
21 relationship with Stephen Holmes?

22 A I'd say it's a good working relationship.

23 Q How often do you communicate with Stephen
24 Holmes on a general basis?

25 A Six times a year, perhaps.

1 Q Did you communicate with him more during the
2 2021 redistricting process?

3 A I do not recall talking with him at all during
4 the redistricting process.

5 Q Do you know Darrell Apffel?

6 A Yes, ma'am, I do.

7 Q How long have you known Darrell Apffel for?

8 A I'm not certain. I probably met him about ten
9 years ago.

10 Q How would you characterize -- or let me ask you
11 this: How often do you communicate with Darrell Apffel
12 for your work?

13 A For my work? Probably same amount of time as I
14 do Stephen Holmes or any of the commissioners. Maybe a
15 half a dozen times a year.

16 Q Would you say that's consistent for all of the
17 county -- or Galveston County commissioners, about six
18 times a year?

19 A As far as communicating with them directly,
20 talking to them, likely, yes.

21 Q So there isn't one commissioner that you speak
22 to more than the others or -- you speak to them all
23 generally about the same amount?

24 A Yes, Mr. Giusti, Commissioner Giusti and I
25 probably have the closest relationship.

1 Q How long have you known Commissioner Giusti
2 for?

3 A I'm not certain. He began -- when he began
4 working for Constable Fullen was when I first met him.

5 Q When around was that? When did he begin
6 working for Constable Fullen?

7 A I believe Constable Fullen was elected in 2006,
8 so it would have been probably 2007 or '08.

9 Q What sorts of topics do you communicate with
10 Commissioner Giusti about?

11 A Community events in his particular area. He is
12 the commissioner in the Santa Fe and West Galveston
13 Island, and so we'd frequently bump into each other when
14 we were at different community events.

15 Q Do you speak about community events with the
16 other commissioners as well?

17 A If they happen to be attending an event, yes.

18 Q So you mentioned you correspond with or meet
19 with or directly interact with the other commissioners or
20 all the commissioners each around six times a year. What
21 do you typically -- can you describe those interactions a
22 little bit?

23 A There isn't really much to describe. I might
24 see them in commissioners court. If I have an item on
25 the agenda, then I would go to their meetings and answer

1 any questions they may have or present information to
2 them so that they could make decisions on items that I
3 would bring to them, such as contracts and business. Not
4 typically budget. It was all typically in writing
5 through the county judge's office.

6 Q So typically when you met with one commissioner
7 or -- did you typically meet with them as a group, or did
8 you meet with them one on one mostly?

9 A Typically I saw them in a group in a public
10 setting like in commissioners court. It was only
11 occasionally that I would see them outside of a
12 professional setting.

13 Q Such as Commissioner Giusti at various social
14 events and --

15 A Yes, ma'am.

16 Q Okay. And then -- so would you say that most
17 of your interactions with them were in person versus over
18 the phone or email or...

19 A I may have corresponded with them via email
20 more than any other method of communication, but that was
21 only for informational purposes, to share information
22 with them.

23 Q What information did the -- or what kind of
24 information would you share with the commissioners?

25 A Valuation information I received from the

1 Central Appraisal District. If there were legislative
2 changes that affected decisions that they were going to
3 make, I would try and just share whatever information I
4 had on those items.

5 Q Did you typically expect a response when you
6 shared this information with the commissioners?

7 A I came to never expect a response from county
8 commissioners.

9 Q You mentioned that you would sometimes go to
10 commissioners court to answer questions, speak about
11 issues or topics. How -- did you attend the
12 commissioners court meetings only when you were being
13 asked to attend for various reasons or would you go
14 sometimes on your own accord?

15 A I typically only attended when I had an item on
16 the agenda.

17 Q And how would they -- how would you be invited
18 to these meetings? Was it over email? Over the phone?
19 Would they contact your staff? How did you know that you
20 were requested at the meeting?

21 A I would receive an agenda and we would review
22 it, and when I saw my item on the agenda, I would attend
23 the meetings, if it was possible or necessary.

24 Q And what sort of items did you have -- did you
25 see on the agenda that were for you? What sorts of

1 topics would you --

2 A Penalty and interest cases for property tax.

3 Budget amendments at times.

4 Q Were you ever -- did you ever see an item on
5 the agenda related to you about redistricting?

6 A I do not recall ever seeing an agenda item
7 specific to me or my office on the agenda.

8 Q So never under the -- you didn't receive an
9 agenda that kind of triggered for you, I should go to
10 this meeting? Or let me rephrase.

11 You didn't see any redistricting item on the
12 agenda that explicitly asked for you to attend the
13 commissioners court meeting?

14 A Not that I recall.

15 Q So you mentioned that you would share all this
16 helpful information with the commissioners, but you
17 eventually stopped expecting a response. Did you stop
18 expecting a response for all of your attempts to reach
19 out to the commissioners or just some types of attempts
20 to reach out to commissioners?

21 A I'm not sure I understand the question. When
22 you're sharing information with people, if they had
23 questions, then they would follow up. But I rarely
24 received questions. I think that my emails were pretty
25 full and informative.

1 Q Do you know Dwight Sullivan?

2 A Yes, I do.

3 Q How long have you known Dwight Sullivan for?

4 A I'm not certain when he began working for the
5 county treasurer, but when he worked in the county
6 treasurer's office as the chief deputy is when I first
7 met him.

8 Q Do you ever work with him?

9 A Directly, no. We work with his office, his
10 elections division, frequently during elections.

11 Q And what do you work with his office on related
12 to those elections?

13 A For directly Dwight on the election board, he
14 sets up those meetings to coordinate the elected
15 officials and party chairs to attend those in planning
16 for elections. And then with his staff, as part of those
17 meetings, we establish schedules of when voter lists are
18 needed for the different elections, and then my staff --
19 I inform my staff of that information, and then it pretty
20 much turns over to them. I'm only involved if a -- if an
21 issue arises, if they need intervention or assistance.

22 Q During the 2021 redistricting process, how
23 often would your office work with Dwight Sullivan's
24 office? On a daily basis? Weekly basis?

25 A I did -- I rarely worked with Dwight Sullivan's

1 office directly. I can't tell -- I can't tell you how
2 much my staff worked with them.

3 Q Do you know Mark Henry, County Judge Mark
4 Henry?

5 A Yes, I do.

6 Q How long have you known Mark Henry for?

7 A I first met him in 2008 at a GOP dinner, I
8 believe.

9 Q Do you interact with him about the same number
10 of times a year that you interact with the county
11 commissioners, about six times a year?

12 A I would say that would be a fairly accurate
13 statement, yes.

14 Q And how would you characterize your working
15 relationship with Mark Henry?

16 A Improved.

17 Q Can you tell me more about that?

18 A We didn't always like each other very much, and
19 we've been both working to improve our relationship. And
20 I'd say things have definitely improved.

21 Q And then do you know Tyler Drummond?

22 A Yes, I do.

23 Q And how long have you known Tyler Drummond for?

24 A Since he first began working for Mark Henry.

25 Q And do you ever work directly with Tyler

1 Drummond?

2 A I don't work directly with him. We will talk
3 occasionally.

4 Q How often will you speak with him?

5 A I'm not sure specifically. Maybe once a month,
6 depending on what's going on. During redistricting, it
7 may have been more frequent. During budget, it may be
8 more frequent. It just depends. We'll sometimes go
9 weeks and weeks without talking to each other at all.

10 Q What sort of things would you talk to Tyler
11 Drummond about?

12 A Planning, what the schedules are, what it looks
13 like commissioners may be doing to determine what they
14 might need from me at any given time.

15 Q Typically, were you initiating this
16 correspondence with Tyler Drummond or would he reach out
17 to you, or was it 50/50?

18 A I'd say it was probably 50/50.

19 Q And he -- was he generally responsive to your
20 requests for information or correspondence?

21 A Yes. Yes. He was definitely a key point of
22 contact to understand what was underway at the
23 commissioners court.

24 Q Would you -- was Tyler Drummond usually your
25 first point of contact for reaching out to the

1 [REDACTED] commissioners court?

2 [REDACTED] A Frequently, yes.

3 Q And how did you typically communicate with
4 Tyler Drummond? Was it over the phone? Over email? In
5 person?

6 A It was a combination of all. Probably 30
7 percent each type, whether it was email, telephone calls,
8 sometimes text messages.

9 Q And when you met in person or spoke over the
10 phone, how long were your interactions with Tyler
11 Drummond, on average?

12 A I would have no idea. Anywhere from 30 seconds
13 to 5 or 10 minutes.

14 [REDACTED] Q So you mentioned that he could be a good point
15 [REDACTED] of contact for the commissioners court; is that right?

16 [REDACTED] A Yes.

17 [REDACTED] Q What sort of information would you request of
18 [REDACTED] Tyler Drummond about the commissioners court?

19 [REDACTED] A Tyler was very helpful in communicating to me
20 [REDACTED] what it looked like the timeline would be for the
21 [REDACTED] commissioners to redraw their boundaries so that I could
22 [REDACTED] make schedules, so I could schedule workers in my office.

23 [REDACTED] Q Do you recall what -- when he provided this
24 [REDACTED] timeline to you?

25 [REDACTED] A Not specifically.

1 Q And what was included in that timeline that he
2 provided to you?

3 A Perhaps the expected dates when commissioners
4 may be making decisions or voting so that I would know
5 that shortly thereafter I'd be receiving information.

6 Q Do you recall if he gave you an exact date
7 during the 2021 redistricting process?

8 A I believe he let me -- he kept me informed
9 fairly well of meeting dates, of adoption dates, so that
10 we could plan. I can't tell you specifically when that
11 was or what those dates were.

12 Q Do you recall what types of meetings he would
13 provide updates on? Were these meetings with the
14 commissioners? Were these meetings with the public? Can
15 you just describe the meetings that he would apprise you
16 of?

17 A Commissioners court meetings that would be
18 agendaed. So it would be posted meetings.

19 Q And would these meetings be open to the public?

20 A Every commissioners court meeting is open to
21 the public.

22 Q Do you recall how many commissioners court
23 meetings there were related to the adoption of the maps
24 in 2021?

25 MS. OLALDE: Objection, vague.

1 [REDACTED] You can answer.

2 [REDACTED] A I have no idea.

3 Q (By Ms. Garrett) So for the commissioners court
4 meetings, you mentioned you received every single agenda
5 for the commissioners court meeting; is that right?

6 A As far as I know, yes.

7 Q And then you would review every agenda that
8 came through to you or that you received?

9 A No. My staff would review them and highlight
10 those items that pertained to our office and provide them
11 to me.

12 Q So the commissioners court did not -- other
13 than sending you an agenda and having your staff review,
14 did the commissioners court reach out to you about those
15 agenda items that related to you prior to the meeting? I
16 know that was a long question.

17 A The commissioners did not. Occasionally Diana
18 Martinez might reach out to me if we had requested an
19 item on the agenda and it didn't make it in time or if it
20 needed to be rescheduled.

21 [REDACTED] Q So you mentioned that Tyler Drummond would also
22 [REDACTED] update you on the timeline for redistricting and these
23 [REDACTED] meetings. How far in advance of the commissioners court
24 [REDACTED] meetings related to redistricting did Tyler Drummond
25 [REDACTED] provide you an updated timeline or updated information

1 about these meetings?

2 A As I recall, he would tell me that they perhaps
3 were going to adopt a map at a certain meeting and a
4 certain month. So in October, he may inform me of the
5 topic that was going to be coming up in November, or in
6 November he may inform me of a meeting that was coming up
7 in December. So about a month in advance, probably.

8 Q So you learned from Tyler Drummond about
9 redistricting being discussed at a commissioners court
10 meeting prior to your staff receiving the commissioners
11 court meeting agenda; is that accurate?

12 A Would you repeat that, just to make sure I
13 understand exactly?

14 Q Yes. When your staff received the
15 commissioners court meeting agenda for November, had
16 Tyler Drummond already notified you that redistricting
17 would be discussed at that meeting?

18 A He very likely provided a date in November that
19 he expected to be placed on the agenda, yes.

20 Q And he provided that date sometime in October?

21 A As I --

22 MS. OLALDE: Object--

23 THE WITNESS: I'm sorry.

24 MS. OLALDE: Objection, asked and answered,
25 calls for speculation.

1 [REDACTED] You can answer.

2 Q (By Ms. Garrett) You can answer.

3 A As far as I know, it was about -- he was fairly
4 accurate in what he would inform me on those dates.

5 Q And he told you about that meeting over the
6 phone or in person? How did he inform you of that
7 meeting?

8 A I seem to recall most of that information being
9 provided in email.

10 MS. GARRETT: I want to turn to an exhibit, now
11 that we're all set up with Exhibit Share. Let me make
12 sure I've got the right one here. Could we mark Tab 13
13 as an exhibit?

14 THE REPORTER: I'm sorry, just for
15 clarification, are we marking it as Exhibit 13?

16 MS. GARRETT: Oh, no. We'll mark it as
17 Exhibit 2. We'll mark Tab 13 as Exhibit 2.

18 MR. MUNK: Exhibit 2 has been introduced.

19 MS. GARRETT: Thank you.

20 Q (By Ms. Garrett) Ms. Johnson, can you let me
21 know when you've reviewed the exhibit?

22 A Yes, ma'am. (Reviewing document.) I sent this
23 email and this very long set of attachments --

24 Q Yeah.

25 A -- with questions, yes.

1 Q So you just said you sent this email. What day
2 did you send this email?

3 A According to the date on this, January 14th,
4 2021.

5 Q I want to start just with the body of the email
6 itself. You start the email with "With redistricting
7 around the corner." What did you mean when you said
8 redistricting was around the corner?

9 A Exactly that, that it would not be long before
10 they were going to be faced with making decisions about
11 their boundaries.

12 Q And when did you anticipate that process would
13 start for the recipients in this email?

14 A Shortly after the census data was received.

15 Q I want to look at the third paragraph in the
16 body of this email. You wrote, "Therefore, I reached out
17 to all of the officials, including Judge Henry, not for
18 the purpose of having any impact on your decisions,
19 except for JP and constable, but to be included from the
20 standpoint of providing input on whether certain proposed
21 plans would be better planned differently."

22 Did I read that correctly?

23 A Yes, ma'am.

24 Q What did you mean when you wrote that
25 paragraph?

1 A Precisely what it says. I wasn't trying to
2 influence the decisions that they were going to make in
3 the future except for their impact on the ease or
4 difficulty of us making the changes to our various voting
5 precincts and the entitlements. And when I refer to
6 "entitlements," I'm talking about how each voter -- who
7 they can vote for as far as positions and which -- let's
8 say which -- which JP or constable, which school
9 district, single member district, what city and so forth.

10 Q Can you say a bit more on how a proposed plan
11 could be better planned differently?

12 MS. OLALDE: Objection, asked and answered.

13 You can answer.

14 A My only concern was that they would implement
15 plans that were not so complicated that they would be
16 difficult to implement, and you can -- as you can see
17 from the next paragraph.

18 Q (By Ms. Garrett) So the next paragraph reads,
19 "We currently have residential properties split between
20 two precincts. You can stand on any given corner in
21 Galveston and add multiple same as well as multiple
22 different precincts for the city, ISD and county." Did I
23 read that correctly?

24 A Yes, ma'am.

25 Q Would you say that this paragraph encompasses

1 possibly your main concern with having a difficult map to
2 implement once the map is selected?

3 A It wasn't the map. It was more the boundaries
4 that they were selecting.

5 Q You mentioned -- back to that third paragraph
6 about providing input. What sort of input could your
7 office provide to the recipients of this email and other
8 entities going through redistricting?

9 A With regard to the county commissioners in this
10 paragraph, it would be much simpler if commissioner
11 Precinct 2 and JP Precinct 2 and constable were the same,
12 and they are not necessarily the same.

13 Q So attached to this email -- actually, before I
14 get to that, are these three boundaries typically the
15 same?

16 A Not necessarily the same. If you're talking
17 about -- JP and constable are the same, but the JP and
18 constable numbers may or may not correspond to the county
19 commissioner numbers.

20 Q But it's easiest for your office and your
21 implementation of the maps if the commissioner precinct
22 lines are the same as the JP and constable lines?

23 A Absolutely. And it's easier for the voters as
24 well. If a voter called and was in County Commissioner
25 Precinct 2, they could be in JP or Constable Precinct 1,

1 2, 3 or 4, and that's very confusing for voters. So from
2 the standpoint of ease for the voters as well. And then
3 when they were different, I'd have to make a decision on
4 which entitlements we are putting on the voter
5 registration certificate, because I had to communicate
6 that information to the voters.

7 Q Would this cause confusion for voters when
8 the -- the commissioner precinct lines were different
9 than the JP and constable lines?

10 MS. OLALDE: Objection, asked and answered.

11 A Yes, I believe it would cause confusion.

12 Q (By Ms. Garrett) Do you know if counties often
13 had different commissioner lines -- or if counties in
14 Texas had JP and constable lines that were different than
15 commissioner precinct lines? Do you know how common that
16 was --

17 MS. OLALDE: Objection --

18 Q (By Ms. Garrett) -- or is?

19 MS. OLALDE: -- calls for speculation.

20 Q (By Ms. Garrett) To your knowledge.

21 A I have no knowledge of that at all.

22 Q And then you mentioned entitlements on voter
23 registration certificates. Can you elaborate on what you
24 mean by "entitlements" on those certificates?

25 MS. OLALDE: Objection. She's already answered

1 that.

2 You can answer again.

3 A So I'm a registered voter in Friendswood,
4 Texas, and I have a certain school district entitlement,
5 which it's not a single member district, so it's FISD.
6 So that code is on my voters certificate. The drainage
7 district code is on my certificate. The county
8 commissioner precinct, the voting precinct number is on
9 that certificate.

10 So any -- the city precinct is on that
11 certificate. So anybody that I'm entitled to cast any
12 position or race, I'm entitled to cast a vote for, should
13 be or we try and include all of those on the voter's
14 certificate. There typically oftentimes are not enough
15 boxes on those certificates for us to include every
16 single position or jurisdiction that somebody can vote
17 for.

18 Q (By Ms. Garrett) Turning to the last paragraph
19 of this email that you wrote on January 14th, 2021, in
20 the middle of that last paragraph you wrote, "I hope that
21 you find this letter was both thoughtful and efficient
22 and that working together is far better than being at
23 odds and possibly creating difficulties that can be
24 avoided."

25 My first question to you is, would you say that

1 being thoughtful and efficient was a goal of yours for
2 the redistricting cycle?

3 A Absolutely, yes, ma'am.

4 Q And then what sorts of difficulties were you
5 hoping to avoid by communicating early with these
6 individuals and reaching out early?

7 A It was my preference that county commissioners
8 adopted their voting precincts early on so that then that
9 information could be provided to the other entities and
10 that they would, as much as they could, align their
11 various single member districts with those boundaries.

12 It was a simpler plan to implement.

13 Q So is it the case that the earlier a map is
14 adopted, the better, for not only your office but
15 numerous entities?

16 MS. OLALDE: Objection, calls for speculation
17 and compound.

18 You can answer to the extent you understand the
19 question.

20 A If I understand your question correctly, it was
21 preferable that the county commissioner voting precincts
22 be identified early on so that other jurisdictions would
23 hopefully follow along with those. As I stated earlier,
24 we just recently changed three of our jurisdictions
25 single member districts. So this has been spaced out

1 over quite some time.

2 Q (By Ms. Garrett) Looking to the attachment to
3 this email that should be on Page 2 of your exhibit, what
4 is this document?

5 A This is the letter that I sent to all of the
6 jurisdictions, as I recall, informing them of what was
7 upcoming. I really thought I'd sent this in 2019, but
8 apparently I sent it December 22nd, 2020.

9 Q And then the third paragraph of this letter,
10 you mention, "To my knowledge, there has never been any
11 attempt to coordinate boundaries to align with any
12 standard such as county commissioner precinct lines or
13 even primary roadways or natural boundaries. We have
14 many instances of properties being split between two or
15 more districts. This makes it extraordinarily difficult
16 for us to accurately implement district changes."

17 Did I read that correctly?

18 A Yes, ma'am.

19 Q And what was your goal in including this
20 paragraph in this letter to the recipients?

21 A Well, as voter registrar, my terminology is
22 somewhat different from others, but when I view a county
23 commissioner precinct line, that is an election -- a
24 voting precinct, for example, Precinct 102, 304, 485 or
25 whatever. And so my purpose in -- in including this was

1 to try and encourage everybody to be consistent and not
2 split some of the properties. We have some properties
3 that are split right down the middle of the property, and
4 it creates a difficult situation for us to determine
5 which precinct or entitlement we should be giving a
6 specific voter if it -- if there's a split.

7 Q Did you -- so this email was sent to the
8 Galveston County Commissioners Court; is that right?

9 A It was sent to, as I recall --

10 MS. OLALDE: Hold on. I just --

11 A -- as I state --

12 MS. OLALDE: I just want to make sure I'm
13 understanding your question. The email, or are you
14 talking about the attachment?

15 MS. GARRETT: The email.

16 Q (By Ms. Garrett) So looking at the exhibit, the
17 email that was sent -- so the names in the "to" line on
18 the first page of the exhibit.

19 A Yes, this particular email with that
20 copy-and-paste that I had sent to the other jurisdictions
21 was sent to county commissioners and their chiefs of
22 staff and a couple of people that work in my office or
23 did work in my office at the time.

24 Q And then did you receive -- or what responses
25 did you receive to this email?

1 A I don't recall receiving any responses to this
2 email.

3 Q At this time, did you expect or hope to receive
4 a response?

5 A It wasn't necessary. I was sharing
6 information. If they had additional questions, I
7 expected them to reach out to me.

8 Q When -- when you shared information and the
9 recipients had questions, how could they best contact you
10 to get those questions answered?

11 MS. OLALDE: Objection, vague.

12 A They could call, they could email, they could
13 stop by my office, so there was a variety of ways that
14 they could reach out to me.

15 MS. GARRETT: I'd like to mark Tab 14 as an
16 exhibit. This would be Exhibit 3.

17 MR. MUNK: Exhibit 3 has been introduced.

18 Q (By Ms. Garrett) Ms. Johnson, can you let me
19 know when you've had a chance to review the exhibit?

20 A (Reviewing document.) I've reviewed the email.

21 Q Do you recognize this email?

22 A Yes, I do.

23 Q Can you describe what this email is? What is
24 this email?

25 A This is an exchange of information. A reporter

1 with the Galveston Daily News was seeking copies of maps
2 or any information that I might have on who he could
3 obtain them from, and so I looped in people that might
4 have that information.

5 Q Did you -- did you anticipate receiving
6 requests like this in 2021 around the time of
7 redistricting?

8 MS. OLALDE: Objection, calls for speculation.

9 To the extent you know, you can answer.

10 A People ask me for all sorts of information.

11 Most of it is not something that we even have anything to
12 do with. It's just the most familiar with their tax
13 assessor-collector because I've touched them so often.

14 Q (By Ms. Garrett) So your office fielded quite a
15 few questions, it sounds like?

16 A On every topic. I'm sorry.

17 MS. OLALDE: Just give me a chance to object.

18 Q (By Ms. Garrett) You mentioned in your response
19 to John Wayne Ferguson on April 8th, 2021, you say, "We
20 just cleaned out all of the 2000 maps in preparation for
21 2020 redistricting." Did I read that correctly?

22 A Yes, ma'am.

23 Q And why did you clean out the maps at this
24 time?

25 A We no longer had need for the 2000 maps, to the

1 decisions that were made then. We compare the 10-year
2 maps for each effort that we do with regard to
3 redistricting. So we looked at the 2000 maps in 2010,
4 the 2010 maps in 2020. So there was no longer a need for
5 the older maps.

6 Q And what format were these 2000 maps in? Were
7 they electronic? On paper?

8 A As I recall, they were predominantly paper.

9 Q And it looks like you included Nathan Sigler,
10 Michael Shannon on this email; is that right?

11 A Yes, ma'am.

12 Q Why did you include them on this email?

13 A Because they were the most likely individuals
14 to have the information that Mr. Ferguson was seeking.

15 Q Is it typically your practice to include
16 individuals with more information or additional
17 information on emails to help respond to requests for
18 your office?

19 A It is very common for me to include the proper
20 people that perhaps -- when Mr. Ferguson was asking for
21 information and I -- I responded by sharing that
22 information with him. This is very typical.

23 Q We should have time for this line of
24 questioning before lunch. As part of your work for
25 Galveston County -- actually, let me ask you this: How

1 familiar are you with census data?

2 A In 2000, I was more aware of census data than I
3 have been the most recent census data. I've just not had
4 time to review the 2020 census data hardly at all.

5 Q When you review census data, what sorts of
6 things do you look at when reviewing that data? Just
7 generally, not any particular time frame.

8 A Typically total populations. I would want to
9 know, for instance, how many additional people we have in
10 Galveston County. That sometimes triggers legislation
11 affecting us, and how those totals have changed from --
12 from one census to another.

13 Q Do you know how the census data is used for
14 redistricting at the county level?

15 A Not specifically.

16 Q Do you recall when the 2020 census data was
17 released?

18 A As I recall, it would have been August or
19 September. Could have been as late as October in 2021.
20 Sometime late summer, early fall.

21 MS. GARRETT: Okay. I'd like to mark Tab 17 as
22 exhibit -- it should be Exhibit 4.

23 MR. MUNK: Exhibit 4 has been introduced.

24 Q (By Ms. Garrett) Ms. Johnson, once you've had a
25 chance to review, can you let me know if you recognize

1 this document?

2 A Yes, ma'am, I'll let you know. (Reviewing
3 document.) I'm familiar with this email.

4 Q Does this email refresh your recollection about
5 when the census data -- or the 2020 census data was
6 released?

7 A It appears it was around or about August 13th.

8 Q I'd like to ask you, at the very top of this
9 email you write, "With census data now being released,
10 please run voter totals by district for each entity with
11 single member districts."

12 First off, did I read that correctly?

13 A Yes, ma'am.

14 Q Okay. And then why did you take this step to
15 send this email and have this task be completed?

16 A To provide more current voter totals, number of
17 voters in each of the precincts and districts as
18 appropriate, depending on the jurisdiction.

19 Q And once -- let me ask you this: Who did you
20 ask to complete this task? Was it the recipients listed
21 in the "to" line of this email?

22 A Yes. So Ms. Saludis was the senior voter
23 investigation specialist and Angela Bleyle was the
24 second -- the voter registration specialist. Ms. Moreno
25 was the chief deputy that they each reported to directly.

1 Q And once these voter totals were run, what
2 would you do with that information?

3 A I would typically take multiple spreadsheets
4 and combine them into totals as you see on the second
5 page, so that others would not have to review multiple
6 spreadsheets, but to consolidate the information in a
7 concise manner so it'd be easy for people to understand.

8 Q Did the county commissioners request this
9 information from your office?

10 A Not that I recall. Commissioner Clark was
11 typically the only commissioner who was ever, for lack of
12 a better term, down in the mud enough to want to see this
13 information.

14 Q Did you receive a response from -- well, let me
15 just confirm. Which information did you share with the
16 county commissioners? The attachment to this email?

17 A I don't know that I shared this attachment. I
18 used the attachment as an example of what I was going to
19 do with the data I was asking my team to produce for me.

20 Q Okay. Do you recall, once you shared the voter
21 totals with the county commissioners, what response they
22 gave, if any?

23 A I don't recall any responses from any of them
24 specifically. I -- I don't even know exactly when I
25 provided this to them for a second or third time even.

1 Q But if somebody were to respond, you would have
2 expected it to have been Ken Clark; is that right?

3 MS. OLALDE: Objection, calls for speculation.

4 A Typically, he was the one that was most
5 interested. And who he shared that with, I -- I do not
6 know.

7 Q Let's take a look at Tab 15.

8 MS. GARRETT: If we could mark Tab 15 as an
9 exhibit. So Tab 15, this will be Exhibit 5.

10 MR. MUNK: Exhibit 5 has been introduced.

11 A (Reviewing document.)

12 Q (By Ms. Garrett) So Ms. Johnson, I'm looking at
13 the bottommost email, the earliest email. Do you see
14 it's -- well, the "from," "to" -- "from," "sent" and "to"
15 lines are on the bottom of Page 1 and the substance of
16 the email is on Page 2. Have you had a chance to review?

17 A Yes.

18 Q So this earliest -- or the email at the very
19 bottom you sent on May 20th, 2021. Who did you send this
20 email to?

21 A I sent it to the census bureau.

22 Q And why did you reach out to the -- or let me
23 ask you this: What was your purpose for reaching out to
24 the census bureau?

25 A Very likely, Ms. Eldridge, Robin Eldridge in

1 the email, was the city secretary for the City of
2 La Marque, and she was likely asking me when they could
3 expect the data.

4 Q Did Robin Eldridge give you more information
5 about why they were looking for this information?

6 A Not specifically, but she could have been
7 responding to many of those emails that I had sent in
8 trying to develop a plan for her city of when they would
9 make their decisions. That would be logical.

10 Q So was it part of your job to share census data
11 with Texas counties and municipalities?

12 A I did not share census data with Texas
13 municipalities and the counties. I was sharing
14 projection of when the census bureau may have census data
15 available.

16 Q And what was the census bureau's response to
17 your question?

18 A They responded when the data products would be
19 available.

20 Q Sounds like they estimated it'd be available in
21 August or September. Is that accurate?

22 A Yes, ma'am, that's what she wrote, or that's
23 what they wrote, the public information office.

24 Q So looking at the very top email that you sent
25 at 1:50 p.m. Central Time, it looks like, you forwarded

1 this response to Tyler Drummond; is that right?

2 A Yes, ma'am.

3 Q Why did you forward this information to Tyler
4 Drummond?

5 A The same reason that I had included Robin, to
6 let him know that it looks like we -- we have a date on
7 when we may receive the information.

8 Q Did Tyler Drummond request this information
9 from you?

10 A No.

11 Q Did you at the time believe that this
12 information would be helpful to Tyler Drummond?

13 A I assumed that this would be helpful for him to
14 inform the county commissioners when they could expect to
15 begin receiving information, so they could begin making
16 decisions.

17 Q You also asked Tyler Drummond in this email,
18 "Do you have any timeline expectations yet?" Is that
19 accurate?

20 A Yes, ma'am.

21 Q I know we discussed a little bit earlier today
22 about how Mr. Drummond provided you information about the
23 commissioners court meeting. Do you recall what his
24 response was to your question here?

25 A I'm not certain that he provided a direct

1 response to me.

2 Q Did you forward this information to anyone else
3 at -- with the Galveston County Commissioners Court?

4 A Not that I recall. This specific email or the
5 date that census had responded?

6 Q The information that the census bureau provided
7 about when additional data products will be available.

8 So in other words, when you learned that, from the census
9 bureau on May 20th that additional data products will be

10 available and that the August/September release is the
11 first sub-state data available, did you forward this
12 information to anyone at the Galveston County
13 Commissioners Court, other than Tyler Drummond?

14 A Not that I recall.

15 MS. GARRETT: Let's pull up Tab 9, and this
16 will be Exhibit 6.

17 MR. MUNK: Exhibit 6 has been introduced.

18 Q (By Ms. Garrett) And Ms. Johnson, let me know
19 when you've had a chance to fully review the document.

20 A (Reviewing document.) I've reviewed the email.

21 Q Do you recognize this email --

22 A Yes, I do.

23 Q -- or this email thread?

24 A Yes, I do.

25 Q Can you describe what this email thread is

1 about?

2 A So going from the beginning, it appears as
3 though Ms. Eldridge and I had a conversation, because I
4 state what we discussed, and I provided information to
5 her apparently as previously discussed, the breakout of
6 the number of voters in each of the La Marque's single
7 member districts, and looped her into the people who
8 would be able to assist her with other information. She
9 thanked me for that. And then she asked when the census
10 information was out, and I responded that I'd sent an
11 open records request to the census bureau, and that was
12 the previous exhibit that we -- that she was copied on.

13 At that point it was speculation because I had
14 not yet received a response. I think there were news
15 articles about census. It was very much in the news at
16 the time. And that's pretty much it.

17 Also in this email thread --

18 MS. OLALDE: Hold on. Just wait for a
19 question.

20 THE WITNESS: Okay. I'm sorry.

21 MS. OLALDE: That's okay.

22 Q (By Ms. Garrett) So on the first page, I'm
23 looking at the second email listed.

24 A Second email. Let me get to the second email.

25 Q On the first page of the exhibit.

1 A The last -- the second email would be on the
2 last page of the exhibit.

3 Q I'm looking at the email that you wrote on 2:21
4 p.m. on Thursday, May 20th, to Robin Eldridge, where it
5 reads, "No problem. Tyler wrote to the attorney to
6 obtain a timeline for the county. Once I have that, I
7 will send to you." Do you see where I'm at?

8 A Yes, I see that.

9 Q So here in this email, Tyler, are you referring
10 to Tyler Drummond?

11 A Yes, ma'am.

12 Q And then you wrote -- you say, "Tyler wrote to
13 the attorney." To your knowledge, who was the attorney
14 that Tyler was -- that Tyler wrote to to obtain a
15 timeline for the county?

16 A I believe that was Paul Ready.

17 Q Did you receive the timeline from Tyler
18 Drummond?

19 A As I recall, I received a response from Paul
20 Ready.

21 Q And what was Paul Ready's response?

22 A I --

23 MS. OLALDE: I'm going to ask you not to reveal
24 communications with counsel.

25 Q (By Ms. Garrett) Did you have any further

1 follow-up with Tyler Drummond about this information or
2 this timeline?

3 A Not that I recall.

4 Q When you received -- without disclosing the
5 substance of any of your communications with Paul Ready,
6 did you -- or what did you do with the information that
7 you received? Did you create a timeline or a schedule?
8 Did this inform the schedules that you were looking to
9 create?

10 A I don't recall off the top of my head what the
11 response was.

12 MS. OLALDE: Hold on. Hold on.

13 THE WITNESS: Yes.

14 MS. OLALDE: I need to be able to make my
15 objections.

16 THE WITNESS: Yes, ma'am.

17 MS. OLALDE: And for that question, I was going
18 to object as overbroad and vague.

19 So let's make sure we're giving me the time to
20 do that, please.

21 MS. GARRETT: I think now -- I know we're a
22 couple minutes earlier than we discussed, but now may be
23 a good time to take a lunch break, if that works for you.

24 MS. OLALDE: Works for us, yeah.

25 MS. GARRETT: Okay. Could we go off the

1 record?

2 THE VIDEOGRAPHER: Yes. Current time is 11:50
3 a.m. and we're now off the record.

4 (Recess.)

5 THE VIDEOGRAPHER: Current time is 12:49.

6 We're now back on the record.

7 Q (By Ms. Garrett) Ms. Johnson, you mentioned
8 that in response to your request for a timeline from
9 Mr. Drummond, that you received a response from Paul
10 Ready. What did you understand Paul Ready's role to be?

11 A He is the county's lawyer, attorney liaison,
12 essentially. So with regard to redistricting, I don't
13 know.

14 Q You also mentioned that Ken Clark was probably
15 the most commissioner involved with redistricting. Is
16 that accurate?

17 A From what I observed, yes.

18 Q And what sorts of things did you observe to
19 lead you to draw that conclusion?

20 A He was working with the county engineering
21 department, with specifically Nathan, on redrawing,
22 looking at the census data and actually drawing
23 boundaries, as I understand it.

24 Q It was your understanding that Ken Clark was
25 drawing what kind of boundaries?

1 A Voting --

2 THE WITNESS: I'm sorry.

3 MS. OLALDE: Objection as to speculation.

4 THE WITNESS: Yes.

5 MS. OLALDE: And you can answer if you know.

6 A I know that he was involved with the actual
7 election precincts. So after commissioners had adopted
8 their commissioner precincts, then he was working with
9 county engineering to actually define the specific voting
10 precincts, the individual voting precincts.

11 Q (By Ms. Garrett) So post-redistricting, did you
12 work directly with Ken Clark, Commissioner Clark --

13 MS. OLALDE: Objection --

14 Q (By Ms. Garrett) -- or post-adoption of the
15 map, did you work directly with Ken Clark?

16 A Not directly. He would have phone calls -- he
17 would call occasionally, but that was -- it was -- was
18 rather rare. I knew that he was working with county
19 engineering more than anybody else.

20 Q Did Commissioner Clark reach out to you with
21 any questions in 2021 about the redistricting process?

22 A Not about the process, no.

23 Q Did he reach out with questions about anything
24 else related to redistricting?

25 A I don't recall specifically. The only thing he

1 knew that I would have would be the number of voters in
2 each voting precinct.

3 Q You mentioned that you stopped expecting
4 responses to the information you were providing to
5 various entities throughout redistricting. At what point
6 did you stop expecting a response?

7 MS. OLALDE: Objection, misstates prior
8 testimony.

9 A Okay. I'm not -- I'm not sure I have an answer
10 to that. Just sometime during the process, during that
11 year.

12 Q (By Ms. Garrett) Did you have the opportunity
13 to provide -- or let me ask it this way: Did you or your
14 office have the opportunity to provide input on any
15 proposed plan during the redistricting process?

16 MS. OLALDE: Objection, asked and answered.

17 A No.

18 Q (By Ms. Garrett) To your knowledge, was anyone
19 other than...

20 Let me ask this: So in August 2021, after the
21 census data was released, what steps did your office take
22 to prepare for redistricting?

23 MS. OLALDE: Objection, misstates facts.

24 And you can answer to the extent you know.

25 THE WITNESS: So I can answer that question or

1 not?

2 MS. OLALDE: You can answer, to the extent you
3 know.

4 THE WITNESS: If you would repeat the question,
5 yes.

6 Q (By Ms. Garrett) So it's -- the census data was
7 released in 2021, is that right, the 2020 census data?

8 A As I recall, yes.

9 Q Did your office -- did you or your office take
10 any actions to prepare for redistricting after that data
11 was released?

12 A Not specifically actions. We began
13 aggressively trying to hire temporary staff.

14 Q And what did you hire those temporary staff to
15 do at your office?

16 A Enter applications and scan documents. The
17 day-to-day tasks that the full-time staff would not be
18 able to perform because they were changing street ranges.

19 Q And changing street ranges, that process began
20 when?

21 A Once we began to receive changes from the
22 different jurisdictions. So once the Texas legislature
23 had adopted their boundaries, then -- and we were able to
24 access that information, that's when we specifically
25 began making changes in the -- in the system.

1 Q When did you receive the first change in
2 boundaries to start making changes? Do you recall when
3 that was?

4 MS. OLALDE: Objection, vague as to
5 "boundaries."

6 Q (By Ms. Garrett) Let me ask it this way: When
7 did you receive -- so after the census data was released
8 in August 2021, when did your office receive its first
9 newly adopted map from any jurisdiction?

10 MS. OLALDE: Objection, vague, overbroad.

11 You can answer to the extent you're able.

12 A Once the legislature adopted their maps and we
13 were notified by the Secretary of State. I don't
14 remember precisely when that was without looking at the
15 election advisory.

16 Q (By Ms. Garrett) In August 2021, did you
17 receive any updates from the Galveston County
18 Commissioners Court about their actions to select a new
19 commissioners precinct map?

20 MS. OLALDE: Objection, asked and answered.

21 You can answer.

22 A I don't think they'd made any decisions in
23 August.

24 Q (By Ms. Garrett) Did you receive any updates
25 about a decision-making process or any updates on the

1 timeline?

2 MS. OLALDE: Objection, asked and answered.

3 Q (By Ms. Garrett) You can answer, if you --

4 A I don't know when I received a response. I
5 don't remember when they first approved their maps, so I
6 can't really answer that question.

7 Q So you don't recall when the Galveston County
8 Commissioners Court adopted their commissioner precinct
9 map?

10 A I don't remember specifically. As I recall,
11 Tyler communicated around October that they would adopt
12 something around -- sometime during November or December.

13 MS. GARRETT: I'd like to mark Tab 19 as an
14 exhibit. I believe this would be Exhibit 7.

15 MR. MUNK: Exhibit 7 has been introduced.

16 Q (By Ms. Garrett) Ms. Johnson, when you've had a
17 chance to review, could you let me know if you recognize
18 this document.

19 A (Reviewing document.) Yes, I recognize this
20 document.

21 Q What is this document?

22 A This is an email which I'm sharing with the
23 county commissioners the current voter count by election
24 precinct as of August 13th, 2021.

25 Q Do you recall which individuals were included

1 as recipients to this email?

2 A I don't recall off the top of my head who the
3 commissioners' distribution list included.

4 Q Did you expect any sort of response to this
5 email?

6 A No.

7 Q Why did you send this email?

8 A To share information.

9 Q Did you receive any responses to this email?

10 A I do not recall receiving a response, no.

11 Q Did you speak with anyone about the information
12 in this email after you sent it?

13 A I don't recall.

14 Q Do you recall if you shared the information in
15 this email with anyone else other than the commissioners
16 listed in the "to" line of this email?

17 A I have -- I do not recall.

18 Q After you sent this email, did you -- did you
19 have any further -- let me ask this.

20 MS. GARRETT: I'd like to mark Tab 22 as an
21 exhibit. I believe this would be Exhibit 8.

22 MR. MUNK: Exhibit 8 has been introduced.

23 Q (By Ms. Garrett) Ms. Johnson, when you've had a
24 chance to review, can you let me know if you recognize
25 this document?

1 A Okay. (Reviewing document.) I've reviewed the
2 email.

3 Q Do you recognize this document or this email
4 thread?

5 A Yes, I'm familiar with it.

6 Q Looking at Page 3 of this exhibit, this is an
7 email from you to Dwight Sullivan dated September 23rd,
8 2021; is that right?

9 A I was trying to track the -- see when I was
10 added to this. I can't tell when -- oh, it's Thursday,
11 September 20 -- are you talking about the Thursday,
12 September 23rd at 2:00 o'clock p.m. email?

13 Q Yes.

14 A Yes, I sent that to Dwight Sullivan. Yes.

15 Q And in the second paragraph there in that
16 email, you mention, "We will begin redistricting efforts
17 for Galveston County around October 9th." Did I read
18 that correctly? This is the first sentence in the second
19 paragraph.

20 A Yes, you read that correctly.

21 Q What did you mean by "redistricting efforts"?

22 A As I've stated before, redistricting efforts
23 for my office involves us identifying and then making
24 changes to voter entitlements in the street range portion
25 of our system.

1 Q What information did you need from Galveston
2 County in order to start that process?

3 A We needed, number one, for them to adopt their
4 precincts, their commissioner precincts, and then
5 identify the election -- the voting precincts within
6 those. That involved maps, shapefiles or access to the
7 information in either the county's or the Central
8 Appraisal District's GIS system.

9 Q At the time you wrote this email, did you
10 anticipate that a commissioners' precinct map would be
11 selected by October 9th, 2021?

12 A Based on this email string, I would have
13 assumed -- I can only assume that we -- that I was of the
14 impression that the county commissioners would adopt
15 their precincts around October 9th or before October 9th.

16 Q Do you recall why you had that impression at
17 the time?

18 A Not without looking at other documents. There
19 could have been agenda items. I -- I can't answer that
20 specifically.

21 Q What kinds of agenda items might be
22 enlightening for refreshing your recollection about that?

23 A I -- if there were posted agendas, if there
24 were news articles, if there would be something that
25 would have caused me to believe that they would begin

1 acting in October.

2 Q If the commissioners court had adopted a
3 precinct map by October 9th, would this have made work at
4 your office easier in any way?

5 MS. OLALDE: Objection, overbroad and vague as
6 to "precinct map."

7 A If you're asking me if they adopted their
8 county commissioner precincts, we still could not have
9 begun our work. The changes that we implemented from
10 their maps required the adoption and establishment of
11 actual voting precincts. And that -- without that
12 occurring, we had nothing to do. There was nothing for
13 us to do.

14 Q (By Ms. Garrett) Could the process to draw the
15 voting precincts begin before the commissioners precinct
16 map was adopted?

17 MS. OLALDE: Objection, calls for speculation,
18 also asked and answered. She's already testified that
19 she doesn't have anything to do with drawing precincts.

20 A I had nothing to do with that, so I wouldn't
21 know.

22 Q (By Ms. Garrett) So you do not know whether
23 voting precinct lines could've been drawn sooner had the
24 commissioners court accepted -- or had the commissioners
25 court adopted a commissioner precinct map in October as

1 opposed to November?

2 MS. OLALDE: Objection, calls for speculation,
3 asked and answered, also overbroad, also misstates prior
4 testimony.

5 You can answer to the extent you know.

6 A Answer is no.

7 MS. GARRETT: I'd like to mark Tab 23 as an
8 exhibit. Looks like this will be Exhibit 9.

9 MR. MUNK: Exhibit 9 has been introduced.

10 Q (By Ms. Garrett) Ms. Johnson, when you've had a
11 chance to review, do you recognize this document?

12 A (Reviewing document.) I do.

13 Q And what is this document?

14 A This is an email that I sent to Tyler Drummond
15 providing, apparently per his request, the Galveston
16 County voters -- number of voters by precinct.

17 Q And do you remember why you sent this email?

18 A No. The only -- the -- it says, "Per your
19 request," so that tells me that Tyler requested the
20 information.

21 Q Do you recall whether he told you what he would
22 do with this information?

23 A No.

24 Q Do you recall if he asked you for any other
25 information related to this request?

1 A No, not that I recall.

2 Q Did you -- were you under the impression at the
3 time you sent this email that this information would be
4 shared with the commissioners court?

5 MS. OLALDE: Objection, calls for speculation.

6 A I truly don't know.

7 MS. GARRETT: I'm going to mark Tab 27 as an
8 exhibit. This will be Exhibit 10.

9 MR. MUNK: Exhibit 10 has been introduced.

10 Q (By Ms. Garrett) Ms. Johnson, when you've had a
11 chance to review, do you recognize this document?

12 A (Reviewing document.) I'm familiar with this
13 document.

14 Q Looking to Page 3 of the exhibit, the earliest
15 email listed, I have a few questions for you about this
16 one. This is an email from you dated October 28th, 2021;
17 is that right? I guess it starts on Page 2 and goes into
18 Page 3.

19 A Yes.

20 Q So at this point, in the first part of the
21 second paragraph, you wrote, "Galveston County will vote
22 next week to change county election precinct boundaries."
23 Is that accurate?

24 A That's what it states, yes.

25 Q And then later on in that email, you write --

1 and this is at the very top of Page 3, you write, "We
2 will begin making changes upon receipt of county
3 commissioner maps through January 11. On that date, we
4 must provide the midterm primary voting list to the
5 county clerk election division. We cannot make any
6 changes to any boundaries until we send the final list to
7 them on February 11th, as it will adversely impact their
8 ballot styles."

9 Did I read that correctly?

10 A Yes, ma'am.

11 Q When you say "we cannot make any changes to the
12 boundaries," what kind of changes are you talking about
13 here?

14 A To those particular governmental entities'
15 boundaries.

16 Q And why did you have to -- or where did the
17 January 11th deadline come from?

18 A From Dwight Sullivan, the county clerk. They
19 needed us to produce the primary voting list by that
20 date, and we could not -- we had to finish the changes to
21 the voting precincts up to that point, and then we could
22 begin making changes to local jurisdictions.

23 Q To your knowledge, do you -- or do you know how
24 this deadline was selected?

25 A The January deadline? The January 11th

1 deadline?

2 Q Yes. Do you know why -- or how the
3 January 11th deadline was selected?

4 A As I recall, that was the date that Dwight
5 Sullivan identified he had to have the last list to
6 create his ballot styles for the primary elections.

7 Q Do you recall if this January 11th deadline was
8 also a deadline back in 2011 during the prior
9 redistricting cycle?

10 A I have no idea. I believe the primary was
11 moved in 2011 to April.

12 Q And then what -- what occurred between
13 January 11th and February 11th such that you couldn't
14 make changes during that time?

15 MS. OLALDE: Objection, calls for speculation.

16 You can answer to the extent you know.

17 A After January 11th, we could begin making
18 changes to any of those other jurisdictions that had
19 provided changes to us. We could not make any changes
20 specifically to any other boundaries until February 12th
21 because there was a law, and that was during the time
22 that the county clerk would have been testing -- doing
23 their LMA testing and various testings that they do. I'm
24 not that familiar with what they have to do.

25 Q (By Ms. Garrett) I want to look at the first

1 email in this exhibit now. First off -- so this is on
2 Page 1 of the exhibit. Do you recognize the names listed
3 in the "to" line?

4 A Are you talking about the November 3rd email?

5 Q Yes.

6 A The one at 9:20?

7 Q Yes. This is the first email listed in the
8 exhibit dated November 3rd, 2021, at 9:20 a.m. Central
9 Time.

10 A And what was your question again about this
11 email?

12 Q Do you recognize the names of the recipients of
13 this email?

14 A I recognize Paul McLarty and Nathan Sigler and
15 Kathleen Moreno, yes.

16 Q And who was Paul McLarty?

17 A He was a decision-maker, I think the
18 superintendent or assistant superintendent at CCISD,
19 Clear Creek Independent School District.

20 Q Do you recognize this as an email that you
21 wrote?

22 A I don't know that I wrote this. It doesn't
23 have a "from." I'd be speculating, but the language, "I
24 have included Nathan Sigler who is our mapping guru,"
25 sounds like something I may say, but I can't say that

1 with certainty.

2 Q I will represent to you that you are listed as
3 a custodian for this document, though the "from" line is
4 empty. To confirm, are you unsure whether you wrote this
5 email?

6 MS. OLALDE: Objection, asked and answered.

7 You can answer.

8 A It doesn't specifically say it's from me. And
9 if I was the custodian of this record, I would think that
10 it would say who it's from.

11 MS. OLALDE: She's just asking if you recall.

12 A I don't specifically recall this email.

13 MS. GARRETT: I'd like to mark Tab 21 as an
14 exhibit.

15 MR. MUNK: Exhibit 11 has been introduced.

16 Q (By Ms. Garrett) Ms. Johnson, do you recognize
17 this document?

18 A I'm still reviewing it. (Reviewing document.)
19 I'm familiar with this document.

20 Q And what is this document?

21 A This is a series of emails between members of
22 the elections division of the county clerk's office and
23 my voter registration department, my office, as well as
24 Ms. Hart with the Secretary of State's office.

25 Q And how long have you known Ms. Hart,

100

1 Ms. Kristi Hart?

2 A I don't know that I've ever actually met
3 Ms. Hart, but I believe that she's been with Secretary of
4 State's office at least a year and a half, maybe two
5 years.

6 Q So in the March 5th, 2021, email from you sent
7 at 10:53 a.m., the actual text of which I'll quote is on
8 Page 3 of the exhibit, you wrote, "I did want you to know
9 that I contacted the law firm as I fully expected it to
10 have already completed entering the data." Which law
11 firm are you referring to here?

12 A I'm trying to find that email. March 5th, so
13 the very first email is what you're asking about?

14 Q The earliest email, yes.

15 A The law firm would have been associated with
16 the emergency services district whose boundaries the
17 Secretary of State assisted us with creating -- well, the
18 entitlements that they assisted with us creating.

19 Q And then at a later email on August 26th, 2021,
20 which starts on Page 1 of this exhibit and goes into
21 Page 2, you followed up with the Secretary of State on
22 this email. What was the purpose of following up in
23 August 2021?

24 A The Secretary of State had gone into the system
25 behind the scenes, so to speak, and added this ESD to

1 TEAM for us, which was a 24-hour action versus us
2 manually entering every single street. And so the
3 purpose of this was me -- for me to determine whether the
4 Secretary of State could help us with redistricting
5 similarly.

6 Q In the last paragraph you wrote, "Depending on
7 the schedule (per SB 13) we may have a very short time
8 frame if the Legislature completes its work by
9 mid-November." Did I read that correctly?

10 A Yes, ma'am.

11 Q Can you confirm which schedule you were
12 referring to here?

13 A Without reading SB 13, I'm not 100 percent sure
14 what the schedule was. As I recall, the -- this was
15 where the legislature was defining when the primary would
16 be, when voter certificates could be mailed out and so
17 forth. That's the best that I can recall.

18 Q And then -- and I'll ask you this: Which work
19 by the legislature were you referring to, if you could
20 confirm --

21 A Their effort to redistrict the congressional
22 districts, the Texas Senate, Texas House, and State Board
23 of Education.

24 Q And what concerns did you have, if any, about
25 this short time frame that you mentioned?

1 A Predominantly workload related. There's a --
2 there's a lot of work to do, particularly if we were
3 having to change voting entitlement street by street,
4 block by block, odd and even. It's going to take us an
5 extraordinarily amount -- extraordinary amount of time to
6 both make those changes and audit those to make sure that
7 we had done everything correctly.

8 Q How much time -- is it possible to estimate how
9 much time that takes?

10 MS. OLALDE: Objection, vague.

11 A I would -- you'd need to be more specific with
12 your question.

13 Q (By Ms. Garrett) I can move on.

14 So when the Galveston County Commissioners
15 Court voted on a redistrict map, what were the next steps
16 for your office?

17 MS. OLALDE: Can you be more specific? I'm
18 sorry. I don't want to just object. I just wanted to
19 make sure that the record is clear as to what map you're
20 talking about.

21 MS. GARRETT: The commissioners precinct map.

22 MS. OLALDE: Thank you.

23 A There was really nothing for us to do at that
24 point in time until we received additional information,
25 such as what voting precincts were to be located within

1 each commissioner precinct. Once that list was provided,
2 then we needed to know -- the way that this -- the
3 election precincts are named, if -- if a precinct moved
4 from Commissioner Apffel to Commissioner Giusti, it would
5 go from a, say, 101 to a 201. And once we could see the
6 list of voting precincts that were within the county
7 commissioners boundaries, my next question or concern
8 would be, Will these names be traditionally changed as
9 they have in the past and renamed?

10 We don't look at which Commissioner Precinct it
11 is. We look at the number. So Precinct 101 is County
12 Commissioner Precinct 1, 202 is Commissioner Precinct 2
13 and so forth. And so we would possibly, once we had that
14 list, be able to begin making those name changes to the
15 voting precincts.

16 THE REPORTER: Excuse me. Who was the last
17 speaker that asked the question?

18 MS. OLALDE: It was Angie Olalde.

19 THE REPORTER: Thank you.

20 Q (By Ms. Garrett) When did you have to complete
21 those name changes by?

22 A In time to generate the list for the county
23 clerk, as well as to generate the list to mail out the
24 voter certificates.

25 Q Was that the --

1 A This was in January.

2 Q The January 11th deadline?

3 A Yes, ma'am.

4 Q When you were making those name changes, did
5 you have any contact with the commissioners court during
6 that time period, the Galveston County Commissioners
7 Court?

8 A I don't recall specifically. I -- I don't
9 recall specifically. I would've wanted them to vote to
10 change those names. I was very uncomfortable proceeding
11 on the assumption that we would simply change the first
12 number. I don't remember specifically contacting them.

13 Q What information would you have wanted from the
14 commissioners court during that time?

15 A The specific names of the precincts, to ensure
16 that 101 would become 201, that 105 would become 205, if
17 those were moved from one county commissioner's precinct
18 to another. Without that -- although that was a logical
19 assumption and typical change, my preference was that
20 they took an official action.

21 Q Did they ever provide that information to you
22 or your office?

23 A I believe they finally took a vote on that in
24 December.

25 Q So you used the phrase earlier that one of

1 your -- is it accurate to say that your office's role was
2 to implement the maps selected by the Galveston County
3 Commissioners Court, or I guess the map selected by the
4 Galveston County Commissioner Court?

5 A We did not implement their map. We simply
6 changed the voting precincts to correspond to the county
7 commissioner numbers.

8 Q So when changing the names for the selected
9 map, what changes -- your office needed to -- I guess,
10 let me ask you this: How much time did it take to change
11 the names for the adopted Galveston County commissioners
12 precinct map?

13 MS. OLALDE: Objection, misstates testimony.

14 THE WITNESS: What was your objection? I'm
15 sorry.

16 MS. OLALDE: You don't need to know my
17 objection. Just answer the question.

18 THE WITNESS: Oh, yeah.

19 A So repeat your question then, please.

20 Q (By Ms. Garrett) You mentioned that your
21 office's role -- let me back up.

22 You mentioned your office's role was to change
23 the names --

24 A Yes.

25 Q -- of the precinct map; is that correct?

1 A Yes.

2 Q How much time did it take to implement the map
3 that the Galveston County Commissioners Court adopted in
4 2021, specifically the commissioner precinct map?

5 MS. OLALDE: Same objection.

6 A We did not specifically change the commissioner
7 precincts. We changed the names of the voting precincts
8 and in some instances split precincts according to how
9 they were finally adopted. So we never looked at county
10 commissioner precincts. We looked at individual voting
11 precincts and we changed those numbers.

12 If it was a simple 101 to 201, it would take 15
13 to 20 minutes, if the Secretary of State's redistricting
14 module was working, which it frequently did not.

15 Q (By Ms. Garrett) How did the -- when did
16 voters, after the -- these -- after these name changes
17 occurred, when did voters receive updated voter
18 registration certificates?

19 A We mailed them out in different batches. And
20 so we would produce the list, and if we -- we started
21 mailing them -- we weren't allowed to mail them until
22 January. And so we would produce lists, and we worked
23 with our vendor to release certain batches of them. So
24 if we were certain that an entire precinct was simply
25 renamed, we could mail those voter certificates.

1 In the instances where they were split to
2 combines, or tweaking for census data lines to be exactly
3 correct, those were set aside until that work could be
4 completed. And we're still in some instances, due to
5 redistricting of other entities, sending out voter
6 certificates.

7 Q Prior to the commissioners precinct map in
8 Galveston County being adopted, did you see the two
9 proposed maps?

10 A I don't recall specifically. If I saw them,
11 they were posted on a board outside the commissioners
12 courtroom.

13 Q But you don't recall whether you saw them?

14 A I very likely saw them. I just don't
15 specifically remember when I would've seen them. They
16 would've been released to the public, and I could have
17 seen them in the Galveston Daily News. I may have seen
18 them on the county website. I'm not sure how else I
19 would've seen them other than, like I said, posted
20 outside the courtroom.

21 Q Were you shown the maps prior to when they were
22 shown to the public?

23 A I do not believe so. I think I saw them at the
24 same time.

25 Q Would you have expected to have seen the maps

1 prior to them being shown to the public?

2 A Not necessarily. My opinion didn't -- and
3 did -- was not going to influence their decisions.

4 Q And why do you say that? Why do you say that
5 your opinion would not influence their decisions?

6 A I'm not sure it was as important to them what
7 my opinion was as it was to the decisions that they were
8 making for whatever reason, or the public's input would
9 have had far more impact than my -- my own alone. I'm
10 one voice.

11 Q Were you present the day that the commissioners
12 court adopted the commissioners precinct map in 2021?

13 A No, I was not.

14 Q And why didn't you attend that meeting?

15 A We had just sent out over 220,000 tax
16 statements, so we were kind of busy.

17 Q And you were not requested at the meeting, I
18 take it?

19 A No.

20 MS. GARRETT: I'd like to mark Tab 29 as an
21 exhibit.

22 MR. MUNK: Exhibit 12 has been introduced.

23 Q (By Ms. Garrett) Ms. Johnson, do you recognize
24 this document?

25 MS. OLALDE: Just one second. It's blurry. Is

1 there -- can you read that?

2 THE WITNESS: Yes, it is a little blurry, but
3 give me just a moment to look at this, please.

4 A (Reviewing document.) I'm familiar with this
5 email. I wrote this email.

6 Q (By Ms. Garrett) What day did you send this
7 email?

8 A November 9th.

9 Q I want to look at the last paragraph in this
10 email. At the first part of that paragraph, you write,
11 "Commissioners were supposed to meet today, Tuesday, to
12 adopt county commissioner precincts and next week to
13 adopt the actual county precincts." Did I read that
14 correctly?

15 A Yes, ma'am.

16 Q Why, when you wrote this email -- or I guess
17 prior to writing this email, why were you under the
18 impression that the commissioners were going to meet on
19 that Tuesday, November 9th?

20 A Without looking at a calendar, I'm not certain,
21 but they -- they had a regularly scheduled meeting every
22 other week, would be my assumption. But I don't know
23 specifically. Apparently somebody or some communication
24 or some news report had predicted that they were going to
25 meet on Tuesday.

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1 Q Do you know why they didn't meet on Tuesday,

2 November 9th?

3 A No, I don't.

4 Q In that same paragraph, you wrote, "Nathan will
5 be providing a listing he created for each map being
6 considered so we will easily know which are full precinct
7 changes and where we will be making splits. Also he will
8 be providing maps to us."

9 Did I read that correctly?

10 A Yes, ma'am.

11 Q Can you describe what was included in those
12 listings that Nathan provided?

13 A Nathan would provide a list showing the county
14 commissioner precinct, the county commissioner as a
15 heading, in which voting precincts or election precincts
16 were included in each one, and this would be providing
17 the specific names that they were going to be given.

18 Q And what format did you receive these listings
19 in?

20 A He typically attached these as PDF files to
21 emails.

22 Q Do you remember reviewing these listings for
23 each of the proposed maps?

24 MS. OLALDE: Objection, misstates prior
25 testimony.

1 A And I'm not a hundred percent certain that
2 there were lists provided for each of the maps. It says
3 that he created a listing for each map. I don't recall
4 seeing those lists specifically, or when I received those
5 from him.

6 Q (By Ms. Garrett) So you have been the county
7 tax assessor-collector for Galveston County for quite
8 a -- quite a while; is that right?

9 A Yes, ma'am.

10 Q How many redistricts -- redistricting cycles
11 have you experienced during your time as county tax
12 assessor-collector?

13 A This is my second.

14 Q So you were the tax assessor-collector and
15 voter registrar in 2011 --

16 A Yes, ma'am.

17 Q -- is that right?

18 A Yes, ma'am.

19 Q Were your responsibilities and your office's
20 responsibilities during the 2011 redistricting cycle
21 similar to the responsibilities that you and your office
22 had in 2021?

23 A Yes, they were very similar.

24 Q Were they at all different?

25 A The changes were different. The JP and

1 constable precincts were combined in 2011, I believe,
2 from eight to four precincts. And so that was a big
3 change for the county.

4 Q Does your office -- did you or your office make
5 any changes in light of what you -- of what you may have
6 learned during the 2011 redistricting process?

7 A Yes. Technology had changed somewhat. The
8 Secretary of State had come up with a redistricting
9 module which was supposed to simplify things, which it
10 did to some extent. We had -- I had developed a
11 relationship with the CAD in which any time I received
12 shape or data files, I would send it to them, and they
13 could produce a street-by-street parcel list of all the
14 addresses within whichever data was in the shapefile, so
15 whether it was county voting precincts or -- call it,
16 or -- or City of Galveston precincts.

17 So we changed the process from strictly looking
18 at maps and physically identifying specific streets on
19 blown-up maps to relying more on the spreadsheets of
20 parcels from the CAD as compared to the street range
21 lists that we were pulling out of TEAM. That's still a
22 manual process, but a little bit more exacting, just very
23 tedious and time-consuming. Very, very time-consuming.

24 Q In 2011, how much contact did you have with the
25 Galveston County Commissioners Court about the timeline

1 for redistricting?

2 A I don't necessarily recall any communication
3 about a timeline. That's an awful long time ago.

4 Q Did you share information in 2011 similar to
5 how you shared information in 2021 with the commissioners
6 court in Galveston County?

7 A I don't recall. I would have given them
8 what -- any information that they requested that -- I was
9 probably more proactive this year in this redistricting
10 than then because I had no idea what to expect in 2011.

11 Q So in 2021, with your experience, you felt you
12 could be more proactive about providing aid and services
13 to various entities across various localities and
14 municipalities?

15 A I --

16 MS. OLALDE: Objection.

17 A Yes.

18 MS. OLALDE: Compound and overbroad, but go
19 ahead and answer if you can.

20 A I'm not sure how to answer your full question.

21 THE REPORTER: I'm sorry, I didn't hear the
22 objection.

23 MS. OLALDE: I said compound and overbroad.

24 A So there were lessons learned from 2011, and so
25 I tried to take the pitfalls that we had encountered then

1 and avoid them in 2021. And I believe that we were
2 successful in that. I used the technology much more, and
3 that was very beneficial.

4 Q (By Ms. Garrett) Can you clarify which pitfalls
5 you were looking to avoid in 2021 and successfully did
6 avoid in 2021?

7 A We weren't strictly using visual maps,
8 comparing a 2000 map to a 2011 map. We were also -- had
9 added the -- the additional benefit of the GIS system at
10 the Central Appraisal District to actually get parcel and
11 street addresses of every single property that was within
12 each precinct, whatever that precinct may be. So that
13 definitely enabled us to be more precise than just simply
14 visually identifying a change.

15 Q What information could the Commis -- could the
16 Galveston County Commissioners Court have provided you or
17 your office to make your job easier during the 2021
18 redistricting cycle?

19 MS. OLALDE: Objection, asked and answered.

20 A I think that they could have provided names of
21 election precincts sooner, but I'm not sure, other than
22 providing the budget so that I could hire staff. It was
23 the -- the -- our part of the redistricting effort was
24 spread out over a long time period, and there's limited
25 funds available from the Secretary of State for me to be

1 reimbursed for temporary staff, so it would put a
2 budgetary strain on my office. But they did provide the
3 funding that I requested.

4 MS. OLALDE: Ms. Garrett, we've been going a
5 little over an hour. When you get to a good stopping
6 point, may we take a break, please?

7 MS. GARRETT: Yes. Let me just finish this
8 line of questioning and then we can take a break.

9 Q (By Ms. Garrett) Were you aware in 2011 that
10 the Department of Justice had to provide preclearance to
11 all redistrict maps prior to them being implemented?

12 A I was aware of that, yes.

13 Q Do you recall whether -- or let me ask you
14 this: Did that preclearance requirement impact your work
15 at all in 2011?

16 A It -- not specifically our work. It would've
17 perhaps changed the timelines for commissioners. They
18 would've had to submit the maps, adopted them, submitted
19 them, and we would've waited until that preclearance was
20 approved, until the maps were cleared before we began
21 anything, any work.

22 Q So it sounds like it may have delayed your
23 process, but -- because you couldn't start your work
24 until they had been precleared?

25 A Correct.

1 MS. GARRETT: Okay. We can -- now may be a
2 good time to take a brief break.

3 MS. OLALDE: Thank you.

4 MS. GARRETT: Can we go off the record?

5 THE VIDEOGRAPHER: It's currently 1:59 p.m.

6 We're off the record.

7 (Recess.)

8 THE VIDEOGRAPHER: Current time is 2:11 p.m.,
9 and we're back on the record.

10 Q (By Ms. Garrett) Ms. Johnson, did you speak
11 with anyone during the break?

12 A Yes.

13 Q With whom did you speak?

14 A The individuals in this room.

15 Q Was it in relation to today's deposition?

16 A No.

17 Q Is it still the case that Zach, Angie and
18 Jordan are the only individuals in the room with you
19 today?

20 A Yes.

21 Q And is it still the case that you have no
22 documents in front of you for --

23 A Yes.

24 Q -- today's deposition? I just have a few more
25 lines of questioning, and then as discussed, two other

1 groups will be asking questions as well.

2 So my first question for you in this line: As
3 a voter registrar, is one of your duties to maintain
4 voter rolls?

5 A Yes.

6 Q Can you describe generally how you do that?

7 A We -- we receive and I have teams of people who
8 enter voter applications. Sometimes that means we have
9 to add street ranges. We have a lot of development going
10 on in Galveston County. We receive information from a
11 variety of sources, including the TEAM system has a
12 section called the "task summary," which a variety of
13 tasks are listed that must be performed daily by my staff
14 in the voter registrar department. We receive
15 information from the district clerk, from the probate
16 judge, from Bureau of Vital Statistics, and the
17 appropriate work is done. Sometimes voters themselves
18 will notify us if there's a deceased member of their
19 family. And so it -- a variety of things are going on
20 constantly.

21 Q How often do you process new voter
22 registrations?

23 A We process applications every single day that
24 they are received. And some of those do come across the
25 task summary as DPS applications.

1 Q For what reasons may you remove a voter from
2 the voter roll? I know you mentioned you might be
3 notified somebody is deceased.

4 A Like if --

5 Q What other reasons?

6 A If another county or state notifies us that
7 somebody is registered in their county or their state, we
8 will remove them. When we receive notifications from the
9 district clerk when people move out of county on -- as a
10 result of a jury summons, we will send notices of
11 confirmation to those voters to confirm they've actually
12 moved. Sometimes those lists include people saying that
13 they -- they cannot serve because they are noncitizens.
14 That is very occasional, but when that -- that does
15 happen, and so we respond. So they would be removed --
16 they wouldn't be removed until we send a notice of
17 examination to determine if the information we received
18 is correct.

19 So just about everything is checked
20 immediately, unless it's an immediate family member who
21 informs us a family member has died.

22 Q So you mentioned a notice of examination.
23 That's something that's sent by your office?

24 A Yes, ma'am.

25 Q And who is that sent to?

1 A Anybody who we've received information that
2 they've moved out of county or they're a noncitizen. I'd
3 have to look at the actual form. I know the notice of
4 examination is used for a potential noncitizen when we
5 receive that information.

6 Q But it would be sent to the voter who may be
7 removed from the voter roll?

8 A Yes, yes. And it could be that they are a
9 felon, and so we try to confirm as much information as we
10 can.

11 Q How often do you -- let me ask you this: How
12 many notices of examination would you estimate your
13 office sends per day?

14 A Per day? Less than one per day. I'd say there
15 may be -- without looking at the statistics, I couldn't
16 be certain, but I'd say no more than ten a month,
17 perhaps.

18 Q And then how often does your office typically
19 remove voters from the voter roll?

20 A Just when it's been confirmed or a voter fails
21 to respond timely to a notice of examination. The only
22 other time a voter is removed, unless they moved out of
23 county or out of state, would be when the Secretary of
24 State actually removes voters as a result of the mass
25 purge being performed. I think that's every other year

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1 after -- two years after you've been on the suspense list
2 and have not voted in two federal election cycles.

3 Q So you just mentioned voters being put on a
4 suspense list. Did I hear that right?

5 A Yes, ma'am.

6 Q What does it mean for a voter to be put on the
7 suspense list?

8 A It simply means that we've received information
9 that they have moved. Mail's typically been returned to
10 our office, and so we take -- if the U.S. Postal Service
11 provides forwarding information, we then generate a
12 letter to confirm that they actually moved. And that
13 places -- when you -- by virtue of mailing in that
14 letter, that -- that places an S on their record, placing
15 them in suspense status. It does not affect their right
16 to vote. It simply means they need to confirm their
17 address the next time they vote, or in response to the
18 correspondence we send them.

19 Q So if a voter is placed in suspense, they have
20 two avenues to remedy being placed on suspense?

21 A Yes, ma'am.

22 Q Okay. And so when a voter receives that
23 notice -- notice of examination, how much time do they
24 have to respond to that notification before being removed
25 from the voter roll?

1 A If it's in response to a change of address,
2 they would stay in suspense up to four years before being
3 removed by the secretary of State. If it was they were a
4 noncitizen, for example, we give them at least 30,
5 typically 40 days. They have 30 days to respond, but
6 knowing that the U.S. Postal Service is a little bit
7 delayed, we try and give the voter the benefit of the
8 doubt and give them more time.

9 Q So I want to talk to you about an advisory from
10 the former Texas Secretary of State David Whitley back in
11 January 2019, an advisory from Friday, January 25th. Do
12 you remember when David Whitley sent out that advisory
13 concerning the citizenship status of 95,000 registered
14 Texas voters?

15 A I believe you just said January 25th.

16 Q Yeah. In January 2019, do you recall former
17 Texas Secretary of State David Whitley sending out an
18 advisory that questioned the citizenship status of
19 roughly 95,000 registered Texas voters?

20 A I don't specifically remember his advisory. I
21 remember it being in the press and on the news and those
22 names showing up on our task summary list.

23 Q How soon did those names show up on your task
24 summary list?

25 A They showed up the Monday after that somewhat

1 was out -- it was out in the news on a Saturday night,
2 and the lists were received that Monday morning.

3 Q How did you respond to seeing those names on
4 that list, or how did your office respond to that?

5 A I had already met with my staff after seeing
6 that news report. I contacted my staff and we arranged a
7 meeting first thing Monday morning, and we sat down and
8 brainstormed, not knowing if we were going to receive one
9 name, a thousand names, or how many. We put together a
10 strategy of what we would need to do, and everybody was
11 assigned specific tasks. That included researching those
12 voters, confirming they were actually on our list of
13 registered voters, and determining if we had any
14 documents at all to validate whether they were or were
15 not U.S. citizens.

16 Q How many Galveston County residents were
17 included on that list?

18 A There were nearly 900 names on that list.

19 Q Do you recall generally -- or did you notice
20 any patterns or similarities amongst the residents that
21 were identified in that list?

22 MS. OLALDE: Objection, vague.

23 A No, but I wasn't necessarily looking at that
24 list. My staff was. The task was to review the
25 information and obtain documents. I'm not sure any of us

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1 were looking at names. We were looking at voter unique
2 identifiers.

3 Q (By Ms. Garrett) And what sort of documents
4 were you -- were your staff looking into?

5 A We were seeing if we had any voter
6 applications, if we had ever sent them any letters.
7 Every single letter we send a voter, with rare exception,
8 is scanned and maintained and held for a certain time
9 period. And so we -- we searched each voter and do it a
10 variety of ways to determine if we had any documents
11 associated with that voter. And all of that information
12 was gathered and clipped together and set aside for a
13 decision to be made whether it was appropriate to send a
14 notice of examination or not.

15 Q Did you send any notices of examination?

16 A Yes, I believe in total, we sent out 100 or 150
17 over a two-day period. We had determined we could send
18 out and investigate approximately 100 a day, and we
19 pulled back the second set of the instruction. There
20 was -- we were told to stop this middle of the second day
21 and we were able to retrieve about half of the letters
22 that we had prepared on the second day, from being
23 mailed.

24 Q And who told you to stop sending letters?

25 A I don't recall whether it was a temporary

1 restraining order or we received that instruction from
2 the Secretary of State. I don't recall specifically
3 without going back and looking at those documents.

4 Q Did you contact the Secretary of State at all
5 between receiving these names and sending out the
6 letters, or notices of examination?

7 A I don't recall that I specifically did. I
8 could have instructed my staff to, to validate was there
9 anything else we needed to be looking at, but I really
10 don't recall specifically.

11 Q And the notices of examination that you sent
12 with -- are these just a standard form that you sent or
13 were they -- or were they at all edited in light of the
14 advisory that was provided by the Secretary of State?

15 A They were -- they were system generated, so
16 they were form letters.

17 Q Did you reach out to the Department of Public
18 Safety before sending out these letters?

19 A I do not recall that we did.

20 Q Would you have expected to speak to the
21 Department of Public Safety regarding these notices of
22 examination at any point in the process of sending them?

23 A The Secretary of State had worked with DPS in
24 order to generate the list, so it would've been our
25 assumption they had communicated with one another.

1 Q What was your reaction when you learned -- let
2 me ask you this: What was your reaction when you were
3 told to stop sending the letters?

4 A My reaction was to immediately contact my staff
5 and cease mailing those letters and retrieve any that had
6 not been put in the mail already.

7 Q Were you aware of other county elections
8 officials sending letters in response to the Secretary of
9 State's advisory?

10 A Not at that time. The lawsuit involved, I
11 believe, a total of 17 counties, so there were other
12 county officials that were doing the same thing that we
13 were doing, apparently doing the research that we could,
14 and acting according to what the election code required
15 us to do in response to the information received.

16 Q Were you aware of any other county elections
17 officials who did not send letters in response to the
18 Secretary of State advisory?

19 A Not necessarily. I guess the other 254 outside
20 of the 17 that I really -- I -- no, I was -- I had no
21 personal knowledge of any ones that were refusing to do
22 it, at that time.

23 Q Did you speak to anyone outside of your office
24 prior to sending the notices of examination in response
25 to the Secretary of State advisory in January of 2019?

1 A I believe I would have contacted -- it would
2 have been appropriate for me to possibly reach out to the
3 county judge or the commissioners and let them know what
4 we were doing or what was going on. I would have
5 possibly contacted the county sheriff to determine if
6 they could assist us in any way with any information to
7 determine citizenship status of the individuals on the
8 list. But I'm guessing, based on what would've been, in
9 my opinion today, an appropriate response at the time.
10 To try and find answers to that, I certainly reached out
11 to my U.S. congressman to find out if they could guide --
12 give us any guidance on how to make this determination.

13 Q So did you say that you may have reached out to
14 the commissioners court in Galveston County, but you
15 don't recall?

16 A I don't recall specifically doing so. It would
17 have been appropriate for me to notify others in the
18 county that could be affected or receive phone calls,
19 that this is -- this is what we're doing based on the
20 information we have received. There was a lot going on
21 then. Whether I did that immediately or not, I just
22 don't remember.

23 Q And when you say receiving phone calls, I -- do
24 you mean phone calls from residents of Galveston County
25 reaching out to their commissioners asking questions

1 about this?

2 A The media predominantly.

3 Q Were you aware at the time -- were you aware in

4 January 2019 that the Florida Secretary of State had

5 inaccurately flagged 180,000 voters as noncitizens?

6 A I was not aware of that at the time that we

7 received the information. It was something I found

8 out -- or I heard about subsequently, but I still really

9 have no personal knowledge of what happened in Florida.

10 Q When did you hear about what happened in

11 Florida?

12 A I don't recall specifically. Likely during the

13 next 30 to 45 days.

14 Q I want to go back to any potential
15 communications you may have had with the commissioners
16 court at this time. You mentioned that you anticipated
17 the commissioners court may have received phone calls
18 from the media; is that right? Does your office provide
19 any guidance of what the commissioners court should say
20 to the media typically in cases like this or...

21 A I would never presume to instruct another
22 elected official on what they should say to the media. I
23 would simply -- had I sent that communication timely,
24 then it would've been to communicate so they were at
25 least aware and had knowledge. No elected official or

1 department head in any organization wants a surprise call
2 and not to be aware of something of that magnitude that's
3 going on in their -- in their county or jurisdiction.
4 It's a courtesy.

5 Q Were you aware that civil rights groups sent a
6 letter to the Secretary of State shortly after this
7 advisory was sent expressing alarm over this advisory?

8 A I wasn't sure that they had contacted the
9 Secretary of State. I know that some of those groups had
10 contacted my office and I think were trying to file
11 temporary restraining orders to stop the action from
12 proceeding. There was an individual from one
13 organization, but I don't remember what that organization
14 was that actually called me.

15 Q Do you remember when she called you, this
16 individual?

17 A It was a gentleman, and it would have been
18 within 24 hours of having received that list to inquire
19 what -- what we were doing or -- everybody wanted a copy
20 of the list. And I didn't think it was in those
21 individuals' best interest for that list to be provided.
22 And so basically, when everybody called me, I instructed
23 them to file an open records request, and I would work
24 with the -- the attorneys, the county attorneys, to
25 determine the appropriate response.

1 Q So in 2019, in your capacity as Galveston
2 County tax assessor-collector, you were sued regarding
3 this advisory and response, along with the Texas
4 Secretary of State, Texas Attorney General, and the
5 governor of Texas; is that right?

6 A I believe that there were also at least 16, if
7 not 17, other counties that were named in that suit.

8 Q But you were included as a Defendant in that
9 case?

10 A Yes, I was.

11 Q And do you recall the complaints in that case?

12 A Not specifically without going back and reading
13 that suit, but I believe the gist of it was that we had
14 violated the constitutional rights of the individuals
15 that we had sent those letters to.

16 Q Do you recall in that case the Plaintiffs had
17 asserted that the actions taken by the Defendants in that
18 case had a discriminatory effect on Hispanic Americans?

19 A I seem to recall that that was part of the
20 complaint, yes.

21 Q What was your reaction when you saw that listed
22 in the complaint?

23 A I went back and looked at the list, and they
24 were not all Hispanic surnames.

25 Q And what ultimately happened with that lawsuit?

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1 A The counties -- the Defendants agreed to send
2 no more letters. That would have been the voter
3 registrars and election administrators in the counties.
4 So we stood down without being given permission by the
5 court to proceed. And I believe that there was an
6 agreement that was developed between the other parties.
7 We were removed from the suit. And then at that point,
8 the -- the other parties, the remaining Defendants and --
9 worked out with the Plaintiffs an agreement on things
10 that would change, such as the notice of examination
11 letter was to be changed. And subsequently, it was
12 changed later by the Secretary of State. I can't tell
13 you specifically when.

14 Q Did you discuss this lawsuit with anyone at the
15 commissioners court?

16 A I would have. If I did, it would have been in
17 executive session to discuss whether legal counsel was
18 needed.

19 Q And in that case, would you have -- would your
20 staff have flagged for you that that was on the agenda or
21 would you have reached out to the commissioners court
22 about that?

23 A It would've shown up on an agenda and they
24 likely would've notified me to appear in executive
25 session. I would not have known they needed me in

1 executive session without being instructed that I needed
2 to come -- to come in the room.

3 Q So you have been in your current role for about
4 18 years now; is that right?

5 A Yes, ma'am. I'm in my 18th year right now.

6 Q Have you ever considered running for a
7 commissioner's seat?

8 A No, ma'am.

9 Q Have you ever considered running for a
10 different office?

11 A I've been asked, but I have not considered it,
12 no.

13 Q Are you aware of any African American or Latino
14 Republican county-wide elected officials?

15 A Would you repeat that again, please?

16 Q Are you aware of any African American or Latino
17 Republican county-wide election officials?

18 A Yes, ma'am.

19 Q Who are they?

20 A Stephen Holmes is not county -- well,
21 county-wide, right now we have Robin Armstrong. We have
22 different JP or constables. And of course, Commissioner
23 Holmes, but he's not county-wide. So the only -- I guess
24 we don't have any county-wide African American or
25 Hispanic -- well, we did have Michelle Slaughter. She

1 was a state district judge. And that's all to my
2 knowledge.

3 I don't typically ask people whether they're
4 Latino, Hispanic, or -- I -- I just really don't have
5 personal knowledge of that, unless they volunteer the
6 information.

7 Q You mentioned that you've been asked to run for
8 other offices.

9 A Uh-huh.

10 Q Who's asked you to run for other offices?

11 A A variety of individuals. Many citizens.

12 Also, our current County Commissioner Robin Armstrong has
13 asked me to run for a congressional seat. Different --
14 different people during different time periods have asked
15 me to run for -- a lot of people have asked me to run for
16 county judge, and I've been very happy to respond that
17 I'm content where I'm at.

18 Q And why is it that you feel content where
19 you're at?

20 A I believe I'm making a difference right now in
21 the seat that I'm in and there's -- as long as -- as the
22 work that I'm doing is making good changes and there's
23 benefit and there's people that I can help, that this is
24 really where I need to be.

25 Q And just a couple more questions for you,

1 Ms. Johnson, as I wrap up my questioning. Earlier today,
2 it's my recollection that you testified that you have
3 texted with Mr. Tyler Drummond; is that accurate?

4 A Yes, ma'am.

5 Q Did you use your personal cell phone when
6 writing those text messages?

7 A Yes, ma'am.

8 Q Have you shared those messages with your
9 attorney?

10 A Yes, ma'am.

11 Q Have you used your personal cell phone to text
12 with others that we have discussed today?

13 A Different county commissioners, yes. The
14 county judge occasionally, very rarely, but yes, I have.

15 Q Have you also shared those messages with your
16 attorney?

17 A Yes, as they applied to this case. Yes, ma'am.

18 MS. GARRETT: Those are all of my questions for
19 you today, Ms. Johnson. I am now going to hand the mic
20 over to Alex Copper with the Petteway Plaintiffs, who
21 will now have a chance to ask you some follow-up
22 questions.

23 THE WITNESS: Thank you.

24 We cannot hear you.

25 MS. COPPER: How about now? Can you hear me

1 now, Ms. Johnson?

2 THE WITNESS: Yes. It's a little garbled.

3 MS. COPPER: Okay. Let me try changing this
4 over -- (audio cutting out).

5 THE WITNESS: Can't hear you at all now.

6 MS. RICHARDSON: Hi. This is Valencia
7 Richardson with the Petteway Plaintiffs. Can we go off
8 the record while she fixes her sound so we're not burning
9 up time?

10 MS. COPPER: Thank you, Valencia.

11 (Discussion off the record.)

12 THE VIDEOGRAPHER: Okay. Current time is 2:41.

13 We're on the record.

14 E X A M I N A T I O N

15 BY MS. COPPER:

16 Q Hi, Ms. Johnson. My name is Alexandra Copper.

17 I am legal counsel for the Campaign Legal Center, and I'm
18 going to be asking you some questions today on behalf of
19 the Petteway Plaintiffs in this case.

20 I wanted to start by actually going back to the
21 very beginning of your deposition, a question that was
22 asked of you when going through your basic background
23 information, which was, when asked if you worked for
24 Galveston County, you said that you worked for the voters
25 of Galveston County. Do you remember saying that?

1 A Yes, ma'am.

2 Q Can you explain to me what the distinction is
3 to you there?

4 A I don't work for county commissioners court. I
5 do not work for the county government, so to speak,
6 although my paychecks are actually provided through the
7 county system, the county treasurer's office. I believe
8 as an elected official that my responsibility and that my
9 bosses are the 230,000 registered voters in Galveston
10 County.

11 Q Thank you.

12 Can you tell me, have you, in your experience
13 as voting registrar, ever seen any situations or felt
14 like there have been times where the County itself is at
15 odds with its voters?

16 MS. OLALDE: Objection, vague.

17 A Yes.

18 Q (By Ms. Copper) Can you tell me about those
19 circumstances where you felt that way?

20 A Over 18 years, that's an awful big question.
21 From my personal perspective as tax assessor-collector,
22 they are most typically the -- the voters are very upset
23 about the amount of taxes, and so they frequently
24 complain about their taxes and their values that are
25 determined by the appraisal district. And so any time

1 there's a vote on budget or tax rates, then there's
2 usually some disagreement within the community on whether
3 they're doing all that they can to save the money that
4 they claim to be spending, or saving. That's probably
5 the biggest one.

6 I do know that there -- through redistricting
7 and obviously these lawsuits, there's been some
8 dissatisfaction with different voters, different elected
9 officials that were affected by decisions in 2011, and
10 obviously by -- you know, by, I believe,
11 Commissioner Holmes and others in this most recent
12 redistricting.

13 Q You mentioned dissatisfaction among voters in
14 both 2011 and potentially during the most recent
15 redistricting cycle. Can you tell me any specific
16 criticisms you have heard about either cycle and the maps
17 that were adopted as a result?

18 A Not specifically with regard to the JP and
19 constables. I'm not sure that the constables that -- I
20 don't recall, without going back and looking at some
21 notes, how the determination was made of who would run
22 for each one of those receipt -- seats, but you went from
23 eight JPs and constables to four, so obviously, there
24 were going to be some people who would not be reelected
25 or would any longer represent those voters. And so there

1 was general dissatisfaction with -- by those two elected
2 official groups on those maps and -- but specifically,
3 people did not typically complain to me about that, so it
4 was only what you would hear in commissioners court and
5 testimony you read about in the newspaper.

6 Q And you mentioned Commissioner Holmes in
7 particular in respect to the most recent redistricting
8 process. Can you tell us any criticisms that you heard
9 from him or about the redistricting with respect to him?

10 A I did not specifically talk to Stephen Holmes,
11 but the general feeling and common knowledge in the
12 community is, I think that he is of the opinion that he
13 could not get elected in the current precinct as drawn.
14 I didn't nec- -- and he voted against the maps, so that
15 was an obvious position for him.

16 I didn't necessarily agree with his position.
17 I think that he could win reelection in that precinct.

18 Q Why do you think that?

19 A Because he served the county well in the time
20 that he's been in office.

21 Q And you think performance alone should be
22 enough to get you reelected?

23 A In this county, yes, ma'am, I do.

24 Q Now, switching gears a little bit, if I
25 remember correctly, you said earlier that you don't

1 recall having seen the proposed maps for this
2 redistricting cycle before they were announced to the
3 public. Is that accurate?

4 A Yes. I think we all somewhat saw them at the
5 same time.

6 Q Okay. Do you remember just approximately
7 might -- when that might have been?

8 MS. OLALDE: Objection, asked and answered.

9 A I believe that -- that it was stated that they
10 adopted those maps in October or November.

11 Q (By Ms. Copper) Okay. And you had said that
12 you were not present at the meeting at which they adopted
13 those maps?

14 A No, ma'am, I was not.

15 Q And is that -- I know there was a public
16 hearing regarding the redistricting process on
17 November 12th, and I -- if I remember correctly, that is
18 the meeting at which the commissioners adopted the maps.
19 Does that sound correct to you?

20 A I -- without going back and looking at agenda,
21 I would believe that to be true, yes.

22 Q And you were not at that November 12th meeting;
23 is that correct?

24 MS. OLALDE: Objection, asked and answered.

25 A No, I was not at that meeting.

1 Q (By Ms. Copper) Okay. Now, again, I would like
2 to revisit an exhibit that's already been introduced, if
3 that's okay. If we could go ahead and pull up Exhibit
4 Number 2. Luckily, I think you've read this all already
5 and had a chance to talk about it a bit, so I will try to
6 keep my questions much more tailored. But this is the
7 January 14th email from yourself to -- looks like quite a
8 number of people. The "to" line is to all of the county
9 commissioners at that time; is that correct?

10 A Yes, and their chiefs of staff.

11 Q Okay. They -- the -- their chiefs of staff are
12 the folks in addition to yourself that are CC'd; is that
13 correct?

14 A Yes. And the blind CC would have been my chief
15 deputy and the senior voter registration specialists who
16 were going to be affected by this.

17 Q Okay. And now, in the first paragraph of your
18 email, you said that redistricting is around the corner;
19 is that correct?

20 A Yes. At that time, I assumed it would be
21 April, as it had typically been.

22 Q And I -- from what we've discussed and you've
23 said already, the commissioners didn't adopt their maps
24 until October or November, as you remember; is that
25 accurate?

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1 MS. OLALDE: Objection, asked and answered.

2 A Yes, ma'am.

3 Q (By Ms. Copper) And the census data was
4 released in August, though; is that correct?

5 MS. OLALDE: Objection, asked and answered.

6 Also vague as to "census data."

7 You can answer again.

8 A I believe that data was released in August,
9 yes, ma'am.

10 Q (By Ms. Copper) In your experience, or from
11 your side of things, what do you think would've taken so
12 long then between August and November to warrant the kind
13 of delay in coming out with the redistricting plan?

14 MS. OLALDE: Objection, calls for a lot of
15 speculation.

16 You can answer if you can.

17 A There was a lot of data to be looked at and
18 data that likely had to be entered into mapping, had to
19 be coded and put into maps so decisions could be made in
20 conformance with federal law, and I have no idea what
21 those restrictions and laws are.

22 Q (By Ms. Copper) But it wasn't your office that
23 was responsible for combing through and documenting all
24 of that data.

25 A Yes.

1 Q Am I understanding that correctly?

2 Do you know who in particular was?

3 A I believe the County engineering department was
4 predominantly responsible for entering the data into the
5 county's system, the county's mapping system.

6 Q And would that be Mr. Sullivan and Mr. Sigler
7 primarily?

8 A It would have been Mr. Shannon and Mr. Sigler
9 primarily.

10 Q Apologies. Okay, Mr. Shannon and Mr. Sigler.

11 A Yes.

12 Q And was Mr. Sigler your primary point of
13 contact in the engineering department?

14 MS. OLALDE: Objection, asked and answered.

15 A Yes, he was.

16 Q (By Ms. Copper) In your experience, what is
17 Mr. Sigler's role with respect to redistricting,
18 probably?

19 MS. OLALDE: Objection, calls for speculation.

20 A I don't know specifically. He has communicated
21 to me that he had to geocode the census data into his
22 system. I do not know specifically what that means.

23 Q (By Ms. Copper) Any data, though, that would
24 come with respect to the redistricting maps that your
25 office was then responsible for implementing, would those

1 maps and that data come from Mr. Sigler?

2 MS. OLALDE: Objection, vague.

3 A We didn't receive data. We received decisions.

4 Q (By Ms. Copper) Did you work with Mr. Sigler
5 directly to implement the decisions that were made by the
6 commissioners?

7 A No, ma'am, I did not. To imple- --

8 Q So --

9 A Well, repeat that question.

10 Q Did you work with Mr. Sigler to implement the
11 changes that were made by the commissioners with respect
12 to redistricting?

13 A To implement the changes that were made by
14 commissioners, yes. But we -- neither one of us, to my
15 knowledge, had any role in the decision-making process.

16 Q But the two of you together were then
17 responsible, once that decision was made, for making the
18 actual changes to the election precinct boundaries and
19 the implementation of how that would look in terms of
20 precinct splits, et cetera; is that correct?

21 MS. OLALDE: Objection, overbroad, vague, long,
22 confusing.

23 You can answer if you can.

24 A It was my office's responsibility to take the
25 changes that were provided and to enter them in the

1 system. Nathan had nothing to do with that other than
2 providing maps and lists.

3 Q (By Ms. Copper) Okay. Now, looking at this
4 email again, in the third paragraph of your email, I know
5 we've discussed this language already, but you wrote that
6 you would like to be "included from the standpoint of
7 providing input on whether certain proposed plans would
8 be better planned differently." Is that accurate?

9 A Yes, ma'am.

10 Q Now, you told me just a little while ago that
11 you didn't see any of the proposed plans until they were
12 made public; is that true?

13 A Yes, ma'am.

14 Q So even though you requested to have, as you
15 said, input on proposed plans, did you find that you were
16 allowed to have that kind of input during the 2021
17 process?

18 MS. OLALDE: Objection, asked and answered
19 multiple times.

20 A I was not con--

21 MS. OLALDE: You can answer again.

22 A I was not consulted on any of the plans that
23 were presented.

24 Q (By Ms. Copper) Even though, at least according
25 to this email, you asked to be directly; is that correct?

1 MS. OLALDE: Counsel, listen, this line of
2 questioning has been repeated over and over again. She's
3 given you her testimony. Don't rephrase it five times
4 and ask her to repeat it again. Move on.

5 MS. COPPER: Counsel, if you could limit your
6 objections to the content of your objection. And again,
7 Ms. Johnson is free to answer, even if they're
8 duplicative and you object. So I'd like --

9 MS. OLALDE: You know what, again --

10 MS. COPPER: -- to continue with this course of
11 action.

12 MS. OLALDE: No, no, no, no, no. If they are
13 duplicative to the point of harassing and argumentative,
14 I will shut it down.

15 MS. COPPER: We have not actually spoken about
16 whether she directly -- I have not asked yet and I don't
17 believe anyone has, whether she had specifically
18 requested opportunities for input and that she was then
19 denied.

20 MS. OLALDE: You -- no, no, no. You should
21 have been listening to the first part of the deposition,
22 because she was asked multiple times.

23 Q (By Ms. Copper) Ms. Johnson, I'm going to go
24 ahead and ask my question one more time. Your counsel
25 may go ahead and object, but unless she instructs you not

1 to answer, please go ahead and do so. Okay?

2 A My opinion was not considered --

3 MS. OLALDE: Wait, wait, wait. Wait for the
4 question, please.

5 Q (By Ms. Copper) Ms. Johnson, even though in
6 your email on January 21st you specifically requested to
7 be allowed to provide input on those maps, you weren't
8 able to do so during the 2021 redistricting process; is
9 that correct?

10 MS. OLALDE: Objection, asked and answered. In
11 fact, you have asked this question before, and it has
12 been asked and answered.

13 Q (By Ms. Copper) You can go ahead and answer,
14 Ms. Johnson.

15 A I asked to provide input, and I was not given
16 an opportunity or did I provide input.

17 Q Thank you.

18 Now, looking at the letter that was attached to
19 this email, which is -- if I remember correctly, you sent
20 to Judge Henry on -- in December of 2020; is that
21 accurate?

22 A I believe that this had been sent to multiple
23 elected officials in December 2020.

24 Q To any jurisdiction in the county that was
25 undergoing redistricting; is that right?

1 A Yes, ma'am.

2 Q Which obviously included the commissioners
3 court?

4 A Yes, ma'am.

5 Q Now, in that letter, on the second page of
6 it -- let's see here -- apologies. So it is the fourth
7 paragraph down, second sentence. You wrote,
8 "Communication will be key, thus I respectfully request
9 that you keep us apprised of redistricting meetings. It
10 may make our job easier to have a clearer understanding
11 of your intentions as plans are developed." Is that
12 accurate?

13 A That's what this states, yes, ma'am.

14 Q Do you feel, having completed the 2021
15 redistricting process, that you had a clear understanding
16 of the commissioners court's plans as they were
17 developed?

18 MS. OLALDE: Objection, calls for speculation.

19 A I was aware of meetings that would be held, and
20 that's what I asked to be apprised of.

21 Q (By Ms. Copper) Were you aware of any of the
22 criteria that the commissioners were using to make their
23 decisions with respect to redistricting?

24 A No, ma'am.

25 Q Even though your office is responsible for

1 maintaining all up-to-date election information; is that
2 correct?

3 MS. OLALDE: Objection. I don't even know what
4 that question is. She's already answered your question.

5 Q (By Ms. Copper) I'll be happy to rephrase.

6 Ms. Johnson, even though your office is responsible for
7 maintaining information about voting precinct boundaries
8 as well as voter roll information; is that correct?

9 MS. OLALDE: Wait. Are you asking her to
10 restate her last answer? You just asked her if she had
11 any role, and then you asked her again if she had any
12 role. I'm going to instruct the witness not to answer.

13 Move on.

14 MS. COPPER: I'm asking her whether her office,
15 irrespective of the redistricting process, was
16 responsible for maintaining information and data related
17 to election precinct splits and voter rolls, which is not
18 the question I asked previously.

19 MS. OLALDE: If you're going to ask that
20 question, great.

21 Go ahead and answer.

22 A We did not have access to the data that the
23 commissioners were using to make their decisions. All I
24 had was the lists of registered voters in each precinct.

25 Q (By Ms. Copper) Which, according to your

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1 January 14th email, you sent to the commissioners; is
2 that correct?

3 A I'm not sure I understand that question.

4 Q Looking at your email, I see an attachment to
5 it that says "Galveston County Precinct List" with number
6 of voters, looks like an Excel spreadsheet. And I
7 believe in the first line of your email, you said, "I
8 thought it may be helpful for each of you to have the
9 list of registered voters across the county by precinct."

10 Do you see that?

11 A Yes, ma'am. And I see the --

12 Q So your intention in sending this email was to
13 provide data to the commissioners that could potentially
14 be relevant for the redistricting process. Is that --

15 MS. OLALDE: Objection --

16 Q (By Ms. Copper) -- accurate?

17 MS. OLALDE: -- asked and answered. This
18 question has been asked and answered.

19 Q (By Ms. Copper) You can go ahead and answer,
20 Ms. Johnson.

21 A In hindsight, it was useless for me to provide
22 this information because they were using geocoded census
23 data, not the number of voters in each precinct. The
24 only benefit to this was to see that there was an
25 imbalance among the county commissioners of the total

1 number of voters in each voting precinct.

2 Q And is the balance of the number of voters in
3 each precinct something that should be taken into
4 consideration when redistricting?

5 MS. OLALDE: Objection, you're calling for a
6 legal conclusion, you're calling for speculation, you're
7 also asking a question that has already been answered.
8 She does not know about the criteria, as she has already
9 testified.

10 Q (By Ms. Copper) In your opinion and experience,
11 Ms. Johnson, as the voter registrar responsible for
12 implementing redistricting plans once adopted, what was
13 the purpose in sending this information to them?

14 MS. OLALDE: Okay, objection, misstates prior
15 testimony as to implement, and she's already answered
16 this question.

17 MS. COPPER: Counsel, if you could --

18 MS. OLALDE: You just asked her -- wait. You
19 just asked her what the purpose was. She answered your
20 question.

21 MS. COPPER: Counsel, if you could please limit
22 your objections to the appropriate form that is required,
23 I would appreciate it moving forward.

24 MS. OLALDE: Ms. Cooper, I would appreciate
25 it --

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1 MS. COPPER: My last name's Copper.

2 MS. OLALDE: Okay. I apologize, because I
3 don't have your face in front of me right now because the
4 witness is using my computer to look at the exhibit. But
5 Ms. Copper, if you could please refrain from asking the
6 same questions that have already been answered, I would
7 appreciate it.

8 Q (By Ms. Copper) Okay, Ms. Johnson, going back
9 to this email --

10 MS. OLALDE: Her name is Ms. Johnson, not
11 Ms. Jackson.

12 MS. COPPER: I said Ms. Johnson.

13 Q (By Ms. Copper) I know, Ms. Johnson, that you
14 have already discussed the contents of the fourth
15 paragraph of your email with Ms. Garrett, which is about
16 the issue of residential property splits between voting
17 precincts. Do you remember that?

18 A Yes, ma'am.

19 Q In your experience, did the plan the
20 commissioners adopted in 2021 address the issue of
21 residential precinct splits that you raised in this
22 email?

23 MS. OLALDE: Objection, vague as to "plan."

24 A They requested at a much later date if I could
25 identify any specific properties that had splits. The

1 issue became -- it was a moot point because these
2 properties were not developed using census maps. They
3 were developed using plot plans developed -- created by
4 developers, and there was no regard for census data. And
5 so there was really nothing that could be done about
6 these issues, as I recall.

7 Q (By Ms. Copper) So despite raising them by
8 virtue of being tied to the census data, it was something
9 that you couldn't address more explicitly? Am I
10 understanding that correctly?

11 A That they could not address more explicitly.

12 Q Okay. I'd like to pull up another exhibit that
13 we've already discussed, which is Exhibit Number 10.
14 Now, this is a lengthy discussion, email thread between
15 you and Mr. Paul McLarty; is that correct?

16 A It started with others.

17 Q Okay. Looking just at the top email from --
18 from -- I know the name is redacted, but we've
19 established that you were the custodian identified for
20 this email.

21 A Uh-huh.

22 Q So looking at that top email, it is addressed
23 to Paul McLarty and Nathan Sigler; is that correct?

24 A Yes.

25 Q And in your email, you said that Mr. Sigler

1 had -- was "currently loading geo information to perfect
2 the counts with regard to census data and voter rolls so
3 that the commissioners are able to make better decisions
4 on Friday, projected date to adopt." Do you see that
5 language?

6 A Yes, ma'am.

7 Q Now, this email was sent on November 3rd, which
8 is a -- as the subject line identifies, a Wednesday.
9 When you say that you expected the commissioners to make
10 a decision on Friday, do you remember if you meant
11 November 5th or 12th?

12 A I don't recall. My projected date to adopt --
13 that's probably a good question. Because that was
14 Wednesday, I would assume it would've been November 5th.

15 Q In the same email, I think you also said, "I
16 believe commissioners will adopt their maps Friday." Is
17 that correct?

18 A Yes, ma'am.

19 Q Now, to the best of your knowledge, when this
20 email was sent on November 3rd, there hadn't yet been a
21 public hearing about the proposed plans, had there?

22 A I do not -- I could not tell you that. I -- I
23 do not have -- I -- I did not know that.

24 Q You had not seen any public postings of
25 meetings specifically seeking public input over

1 redistricting, though; is that correct?

2 A Not that I recall.

3 Q And to the best of your recollection, why did

4 you believe that the commissioners would adopt the

5 redistricting plans that Friday?

6 A I can't tell you that, other than without
7 knowing what was being said in the community, what was
8 maybe in -- in the news -- and it could've been that they
9 were actually trying to move forward on that Friday. But
10 everything was subject to people -- certain people
11 getting their work done, and in this case, as this email
12 states, it would have been Nathan completing his
13 geocoding. They could not make decisions without that
14 occurring.

15 Q I will represent to you that the public hearing
16 regarding redistricting which occurred on November 12th,
17 the following Friday, was not released publicly or
18 announced publicly until November 9th. So if you didn't
19 see information about this hearing in the news, where
20 else might you have learned it?

21 MS. OLALDE: Objection, calls for speculation.

22 A It would be logical that Nathan or
23 Commissioner Clark would've told me that.

24 Q (By Ms. Copper) And if you knew or had the
25 impression by the 3rd of November that the commissioners

1 were going to meet that Friday, do you think they likely
2 also knew that?

3 MS. OLALDE: Objection, calls for speculation.

4 A I have no idea.

5 Q (By Ms. Copper) Do you know if the
6 commissioners or any of their staff knew at that time
7 that they were going to address the redistricting
8 proposal on that Friday?

9 MS. OLALDE: Again, calls for speculation,
10 objection.

11 A I have no idea.

12 Q (By Ms. Copper) And did you know that the
13 commissioners didn't announce the hearing that was
14 eventually held on November 12th until November 9th, only
15 three days before it happened?

16 A No, but that would be the 72 hours required in
17 advance of a public meeting.

18 Q So there's a requirement to that effect?

19 A In Texas law, as I understand it, yes, ma'am.

20 Q Are there any circumstances, in your
21 experience, where if the commissioners or county staff
22 know that a meeting will be held more than 72 hours in
23 advance, they give public notice sooner anyway?

24 A I don't -- everybody knows that they meet every
25 other week right now. What's going to be an item on that

1 agenda's not known until that agenda's specifically
2 published.

3 Q Now, looking at the very last sentence of your
4 email, you wrote, "One thing I have asked is that the
5 current lines remain the same as much as possible and
6 that major thoroughfares or natural boundaries (creeks,
7 drainage or utility easements, etc.) be used to split
8 precincts." Did I read that accurately?

9 A Yes, ma'am.

10 Q Now, when you say that you asked that the
11 current lines remain the same, who would you have asked?

12 A I believe it's in that other email or that
13 letter. I asked all of the jurisdictions to consider
14 those -- to con- -- to make those -- take those items
15 into consideration.

16 Q So you would have asked this in -- by virtue of
17 your December 2020 letter that was sent to all
18 jurisdictions undergoing redistricting?

19 A Yes, ma'am.

20 Q Did you ever ask anyone in the county
21 commissioners' staff or commissioners directly to have
22 the current lines of the redistricting plan remain as
23 close to the same as possible?

24 A Would you repeat that question? I did not have
25 conversations with any of them about that.

1 Q Did you express -- other than your
2 December 2020 letter, did you express your desire that
3 the current lines remain the same as much as possible to
4 anyone in the county?

5 A I would have to go back and look at that letter
6 specifically. That's a very specific question. We --
7 what I'm requesting there is that they didn't change the
8 individual lines for each of the voting precincts. With
9 100 precincts, I did not want every single line redrawn.
10 And so that's what that means, that the current lines
11 remain the same as much as possible, and that, as I've
12 stated earlier, that entire precincts be moved, not that
13 they all be totally redrawn. That would've been very
14 difficult to implement. And they honored that request.

15 Q So there were -- there were criteria with
16 respect to the implementation that the plan adopted that
17 were, in your opinion, useful for commissioners or others
18 doing redistricting to -- in the planning. Is that
19 accurate?

20 MS. OLALDE: Objection, calls for speculation.
21 Also calls for a legal conclusion.

22 A And I didn't understand a lot of that. It was
23 very garbled.

24 Q (By Ms. Copper) I apologize. How is my volume
25 now?

1 A It's not a problem with the volume. It's just
2 your -- the voice is very garbled. It's not clear.

3 Q Okay. How -- any better?

4 A Just -- if you speak slowly, then I should be
5 able to try and figure out what you're asking me. Thank
6 you.

7 Q Okay. I'll do my best, and please do let me
8 know if I'm cutting out.

9 Now, my previous question was: Did you
10 communicate your desire that the current lines remain the
11 same as much as possible to anyone in the county
12 commissioner -- either a county commissioner themselves
13 or to members of their staff with respect to the 2021
14 redistricting process?

15 MS. OLALDE: Objection, asked and answered.

16 A If that was contained in that email, in that
17 letter, then yes, I did. I know that I asked them to
18 align by natural boundaries. I don't recall
19 specifically, without going back and reading that
20 exhibit, whether I mentioned the current lines remain the
21 same as much as possible.

22 Q (By Ms. Copper) But there were considerations
23 with respect to implementation of whatever map was
24 adopted that you felt were useful for the people
25 considering the (audio cutting out) redistricting to

1 think about during planning. Is that accurate?

2 THE REPORTER: I'm sorry, your audio is cutting
3 out. It's a little garbled. Could you repeat that,
4 please?

5 MS. COPPER: Sure. Could we actually -- is it
6 okay, Ms. Johnson, would you mind if we take a
7 five-minute break and I figure out my audio issues and we
8 reconvene after that?

9 MS. OLALDE: We can take a break.

10 THE VIDEOGRAPHER: Okay. Current time is 3:13.
11 We're now off the record.

12 (Recess.)

13 THE VIDEOGRAPHER: Current time is 3:21 p.m.
14 We're now back on the record.

15 Q (By Ms. Copper) Okay, Ms. Johnson, I only have
16 one last question for you about this exhibit and our
17 conversation that we have been having about precinct --
18 residential precinct splits. In your opinion, is the map
19 that the commissioners adopted in 2021, did it maintain
20 the current lines as much as possible?

21 MS. OLALDE: Objection, vague as to "map."

22 A As I recall, it did, if you're talking about
23 election voting precincts.

24 Q (By Ms. Copper) Yes, ma'am.

25 Do you remember if the other proposed map also

1 maintained election precincts as much as possible?

2 A As I recall, I -- you know, I'm not 100 percent
3 certain, because I'm not sure I ever saw any details on
4 anything but the final plan, so I'm not 100 percent sure.
5 I -- I didn't see any detail in those maps.

6 Q Okay. Well, I would like to switch gears a bit
7 and show you a new exhibit.

8 MS. COPPER: Mr. Munk, in our folder, it will
9 be marked as Docket Number DEF00031247. Do you see that
10 document?

11 MR. MUNK: Yes, I do.

12 MS. COPPER: Great.

13 MR. MUNK: Exhibit 13 has been introduced.

14 Q (By Ms. Copper) Do you have that exhibit in
15 front of you, Ms. Johnson?

16 A Yes, I do.

17 Q This is a document that your attorneys produced
18 to us yesterday, and if I'm looking at it correctly, it
19 is a picture of a Facebook post from February 21st, 2020,
20 from the user Cheryl E. Johnson at the handle
21 "@VoteforCheryl2020." Is that all correct?

22 A It's a tweet, not a Facebook post.

23 Q Oh, apologies. Yes, a tweet. Other than that,
24 is that all correct?

25 A Yes.

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1 Q Now, is this handle, "@VoteforCheryl2020," your
2 personal Twitter account or was this a campaign account?

3 A They're one and the same. It would have been a
4 personal campaign account, Twitter account.

5 Q So you would've been the person writing this
6 tweet, not someone on your behalf. Is that accurate?

7 A Yes, ma'am, it is.

8 Q And the tweet itself reads, "The Galveston
9 County Tax Assessor race has reached a new low with the
10 challenger mailing a racist flyer full of lies. Stay
11 tuned for more!" Is that accurate?

12 A Yes, ma'am, that's what it states.

13 Q And as I mentioned, your attorneys produced
14 this document to us yesterday. When did you first search
15 your -- or remember that you had this document as
16 relevant to this case?

17 A I never produced that document. I only became
18 aware of it, was reminded of it myself, I believe,
19 yesterday.

20 Q Okay. And were you reminded of it by your
21 attorneys, I presume?

22 A Yes, ma'am.

23 Q I'd like to turn now to another new exhibit.

24 MS. COPPER: Mr. Munk, this is Document Number
25 DEF500031248.

1 MR. MUNK: Exhibit 14 has been introduced.

2 Q (By Ms. Copper) And Ms. Johnson, this is
3 another document your attorneys produced yesterday to us,
4 and it appears to be another tweet from your Twitter
5 account from -- this time it's February 23rd, 2020, so
6 two days after the first post. Is that accurate?

7 A Yes, ma'am.

8 Q And the post itself reads, "We have some nasty
9 campaigning going down in Galveston County, Texas." Is
10 that accurate?

11 A Yes, that's what it states.

12 Q And the post appears to link to an article from
13 the Galveston County news titled, "Johnson: Peden ad
14 'racist,' 'discriminatory' and 'a lie.'" Am I reading
15 that correctly?

16 A Yes.

17 Q Okay. I'd like to turn now to another new
18 exhibit.

19 MS. COPPER: Mr. Munk, this is in our folder
20 titled "Johnson: Peden ad 'racist,' 'discriminatory' and
21 'a lie'" -- or excuse me. I apologize. It's called
22 Galveston County News 222 Article.

23 [REDACTED] MR. MUNK: Exhibit 15 has been introduced.

24 [REDACTED] Q (By Ms. Copper) And I know this is a lengthier
25 [REDACTED] article, Ms. Johnson, so please go ahead and take a

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1 moment to review. Just let me know when you're ready.

2 A (Reviewing document.) I'm familiar with this
3 article.

4 Q Is this the article from the Galveston County
5 News that was linked in your February 23rd tweet?

6 A Yes, ma'am.

7 Q Now, looking at the top of the second full
8 page, there's a political ad pictured; is that correct?

9 A The campaign advertisement?

10 Q Yes, ma'am.

11 A That's not a PPA. It looks like a title
12 underneath the picture.

13 Q I'm sorry, I don't know what you mean by that.

14 A Well, you said is it a PPA, and it says "A
15 campaign advertisement paid for by Republican tax
16 assessor-collector candidate Jackie Peden shows an MS-13
17 gang member among messages about illegal immigrants
18 voting in Galveston County." So it's like a -- a
19 statement about what the picture is.

20 Q Oh, I apologize. I mean the picture itself is
21 of an ad of a campaign advertisement; is that correct?

22 A Yes. It was a flier that was mailed, yes,
23 ma'am.

24 Q And this is a flier that was run against you by
25 your opponent in the 2020 Republican primary for tax

1 assessor; is that correct?

2 A Yes, ma'am.

3 Q And looking at the ad itself, it states at the

4 top, "Texans can thank Cheryl Johnson for having illegal

5 immigrants vote in this November's election," with a

6 picture of a heavily tattooed Hispanic man; is that

7 correct?

8 A I would assume he's Hispanic, yes, or Latino,

9 yes.

10 Q Given that the focus of the ad is on illegal

11 immigrants, is the assumption that they are -- that it is

12 someone who is Hispanic?

13 MS. OLALDE: Objection, calls for speculation.

14 A I can only imagine that she was suggesting that

15 illegal immigrants or noncitizens are -- are gang members

16 heavily tattooed and are voting in Galveston County.

17 Q (By Ms. Copper) Which I assume, in your

18 experience, is not the case; is that correct?

19 A Not -- not the case at all in my experience.

20 Q Now, if you scroll down to the third page of

21 the article, the paragraph under the large gap, it states

22 that the photograph used in the advertisement was not

23 actually of a Galveston County resident at all, but

24 instead, is a 2012 picture of an MS-13 gang member

25 incarcerated in El Salvador; is that accurate?

1 A That's what the ad -- that's what the article
2 states, yes.

3 Q And the article also states in the paragraph
4 right below that this image is one of the first pictures
5 that shows up on a Google search for the gang MS-13. Is
6 that accurate?

7 A Yes.

8 Q Now, looking at Page 4 of the article, the
9 second paragraph, you are quoted as saying that the ad
10 was "despicable, it is vile, and it's a lie," and that
11 you were "offended by it." Is that accurate?

12 A Yes, ma'am.

13 Q Can you tell me, why were you offended by this
14 ad?

15 A It suggests that noncitizens are heavily
16 tattooed gang members and it makes it appear that every
17 Hispanic male or somebody with tattoos is a noncitizen.
18 I think that that's very -- I think that is despicable
19 and vile and as well as being a lie. I know a lot of
20 people with tattoos --

21 Q And --

22 A -- and they're not Hispanic males or gang
23 members or noncitizens.

24 Q And in your -- and in your experience, not
25 every Hispanic person is an illegal immigrant either; is

1 that right?

2 A That's right.

3 Q And referring to your February 21st tweet, you

4 also described this ad as racist. Is that accurate?

5 A As I recall, yes.

6 Q Do you believe today that this ad is racist?

7 A Yes, I do.

8 Q So I know we've discussed the facts that the

9 man identified -- the man pictured is not identified as

10 Hispanic, but that appears to be what is implied; is that

11 correct?

12 A Yes --

13 MS. OLALDE: Objection, calls for speculation,

14 also asked and answered.

15 A Yes. And according to the article -- actually,

16 he's from El Salvador.

17 Q (By Ms. Copper) So not from Galveston County at

18 all?

19 A Correct.

20 Q Have you been the subject of other attacks

21 during any of your campaigns that have invoked fears of

22 illegal immigration or called on racial stereotypes?

23 A I don't recall, although Ms. Peden could have

24 stated that I refused to remove noncitizens from the

25 voter roll. I don't recall any other advertisement that

1 was as -- as I would say, as despicable as this.

2 Q Was the critique that you had allowed
3 noncitizens to remain on the voter roll a major part of
4 the Republican primary in 2020?

5 A I don't believe it was a major part of -- of my
6 specific campaign at all.

7 Q Were -- do you feel that you were the subject
8 of attacks from either Ms. Peden or others during the
9 Republican primary that focused particularly on your
10 experience with respect to illegal immigrants and their
11 place on the voter roll?

12 A I think definitely Ms. Peden expressed this,
13 and I think that there were very many people who were
14 highly offended by this.

15 Q Did you speak to others about being offended by
16 this ad?

17 A Oh, yes, every voter that came to vote.

18 Q What did they tell you?

19 A That they didn't know they were going to vote
20 for me until they saw this.

21 Q So the racism of this ad was something that
22 pushed them towards voting for you and supporting you.
23 Is that accurate?

24 A Yes, because people agreed with my opinion of
25 this ad.

1 Q And your opinion being that it was racist and a
2 lie?

3 A Yes.

4 Q Have you seen or heard about racial appeals in
5 any other political campaigns in Galveston County?

6 MS. OLALDE: Objection, broad. You can answer.

7 A I don't recall specifically any other campaigns
8 that went down this trail, no. Doesn't mean that they
9 didn't happen, but I have no recollection of them.

10 Q (By Ms. Copper) And outside of political
11 campaigns, have you ever witnessed or heard of any kind
12 of instances of discrimination based on race or any --
13 even any type of racial stereotyping in Galveston County?

14 MS. OLALDE: Objection, really broad.

15 You can answer to the extent you're able.

16 A And I might have to ask you to repeat that
17 because it was a very broad, open-ended question, if you
18 would, please.

19 Q (By Ms. Copper) Of course. Happy to.

20 Outside of political campaigns, have you ever
21 witnessed or experienced or even heard about racial
22 discrimination or stereotyping in Galveston County?

23 MS. OLALDE: Same question -- or same objection
24 to that question.

25 A I have no personal knowledge of racial

1 stereotyping and being a major issue in Galveston County.

2 Q (By Ms. Copper) When you say you have no
3 personal knowledge, does that mean you've never had
4 anyone raise complaints about discrimination to you?

5 A There could've been people that have raised
6 that issue, including the NAACP, but after a meeting with
7 them, there was no belief on their part that that existed
8 at all. So I -- as it pertained to me would've been my
9 only concern. As it pertained to anybody in my office
10 would've been my concern. I tried not to be -- play God
11 for the rest of Galveston County.

12 Q Did you ever hear any criticisms about the 2021
13 redistricting process as it relates to race?

14 A Not specifically. The suggestion that a
15 minority district had been changed was all I heard, and
16 that was the extent of it.

17 Q And what was the criticism made about the
18 district being changed?

19 A That Commissioner Holmes' precinct had been
20 moved sufficiently that he may not be able to be
21 reelected.

22 Q Did you ever hear concerns that a candidate of
23 color generally might not be able to be elected?

24 A I -- I don't think that color comes into a
25 decision-making process for the people of Galveston

1 County, personally.

2 Q And do you think that racism is a problem in
3 Galveston County?

4 A Very broad question. I do not believe it is a
5 problem in Galveston County. It doesn't mean it doesn't
6 exist. It doesn't mean it -- it isn't discussed or
7 hasn't come up as different topics. But I don't believe
8 it's a major issue for the residents of Galveston County.

9 Q Even if it's not a major problem, do you think
10 that racism exists in the county?

11 A I think it would be unreasonable to assume it
12 does not.

13 Q Okay. Thank you.

14 I'm actually going to turn now to what would be
15 my last exhibit, which is another new exhibit.

16 MS. COPPER: It is labeled in our folder as
17 "Big Jolly Politics - 1.8.2018 Post," Mr. Munk.

18 MR. MUNK: Exhibit 16 has been introduced.

19 Q (By Ms. Copper) Ms. Johnson, I know this is
20 another long one, so if you wouldn't mind just taking a
21 minute and reading this over and letting me know when
22 you're done.

23 A (Reviewing document.) I remember authoring
24 this. Whether it was reproduced by this online paper
25 specifically as it was presented, I -- I can't affirm

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1 without checking my files. But yes, I remember. I'm
2 very familiar -- I'm familiar with this.

3 Q And can you tell me generally, are you familiar
4 with the website that this is on, Big Jolly Politics?

5 A I'm vaguely familiar with it. They -- they
6 sometimes carry articles that I write. I think they go
7 out and they grab them and -- and publish them.

8 Q Okay. I will represent to you, just for
9 fullness of information, that according to the website's
10 "About" page, "Big Jolly Politics was started by David
11 Jennings in 2009 after moving on from LoneStarTimes.com,"
12 and "The goal was to create a website that covered local
13 and state politics with an eye on truth first."

14 Is that your experience with this website, that
15 it is focused on state and local politics with an eye on
16 truth first?

17 A I don't see that printed here, but I -- from
18 what little I know, that would be a fair summation.

19 Q And do you know David Jennings, the person
20 that's responsible for this web page?

21 A Not personally.

22 Q So only through his publications?

23 A Yes. I don't recall if I've ever met him. I
24 don't remember meeting him.

25 Q And am I right in understanding from this post,

1 again, with the caveat that whether your email is
2 reproduced accurately is something you can't attest to at
3 this moment, am I right in understanding that everything
4 in quotes, starting with "Lov ya Bon," is quoting an
5 email from you?

6 A As I recall, this was a guest column that I had
7 written. And assuming that he reproduced it in its
8 entirety, although it might have quotes, I think
9 that that quote was -- the "Lov ya Bon," I don't see the
10 end of that quote.

11 Q Nor do I. I assumed, based on -- that the
12 entire rest of the article was the email from you, or it
13 sounds like a guest column. Looking at it, can you tell
14 me where you think your quoted language should end? My
15 understanding was it was with the sentence "She laughed
16 from the bottom of her gut and sings (loudly) out of
17 tune."

18 A Yes, that would be -- as I recall, that's the
19 way I wrapped up that article, that column, yes, ma'am.

20 Q Well, what a lovely description. She sounds
21 like a wonderful woman.

22 A She really is.

23 Q And very briefly, can you tell me just a little
24 bit about what is the subject of this post?

25 A Bonnie Quiroga worked for the county for many,

1 many years, including in the tax office, years before I
2 was there. So as this says, for 32 years, she was a
3 devoted public servant and employee of Galveston County.
4 And she was not loyal to people as much as -- this says,
5 "She was loyal to the people and the purpose of county
6 government." She did not throw any punches, and I wanted
7 people to know the person who was being assaulted in
8 court, in -- and I don't mean physically assaulted, but
9 was being attacked as a result of her termination by Mark
10 Henry. It was, in my opinion, an unfair situation. She
11 was a victim. And she dared stand up to individuals she
12 didn't agree with, and she got fired for it. And I was
13 trying to let people know that there was a human side to
14 Bonnie Quiroga.

15 Q One who laughs loudly out of tune, it sounds
16 like.

17 A Yes, ma'am.

18 Q You said that she was loyal to the people
19 instead of the County. That is much how you envision
20 yourself; is that accurate?

21 A Yes, yes. The people are part of the county,
22 so, you know, I'm not loyal to county government as much
23 as I am loyal to the people of the county. The
24 purpose -- this is the purpose of county government. We
25 all support the purpose of what we do.

1 Q And in your experience, have other people like
2 Ms. Quiroga -- please tell me if I'm saying her name
3 incorrectly. Are other people like Ms. Quiroga and
4 yourself who are loyal to the people over the government,
5 have they faced difficulties in county government as a
6 result of that?

7 MS. OLALDE: Objection, calls for speculation.

8 A I -- I really don't know. There were many
9 county employees that left, some of which were fired,
10 after there were changes in commissioners court.

11 Q (By Ms. Copper) Speaking only from your
12 personal experience, have you ever had difficulties,
13 given that your loyalty is to the people instead of to
14 the government structure of Galveston County?

15 A Yes, ma'am.

16 Q Can you tell me a little bit about that?

17 A I do not support taxpayer-funded lobbying. I
18 do not believe government funds should be used against
19 the people. I am a public servant first, a politician
20 last, and that goes against the grain of most
21 politicians, ones I consider self-serving. So I've just
22 simply tried to be a good public servant and -- and
23 fulfill the promises that I've made to the people from
24 day one. That gets me into --

25 Q And --

1 A -- trouble sometimes.

2 Q -- you mentioned County Judge Henry in
3 particular. Is he someone who in the past you felt like
4 is maybe a politician more than a public servant?

5 MS. OLALDE: Objection, irrelevant,
6 speculation.

7 A Judge Henry and I aren't currently at odds as
8 we were at this time. I'd rather reserve my opinion.
9 We're working well together right now, and I think at one
10 point we didn't work well together at all and we were
11 definitely in different factions of the Republican party.

12 Q (By Ms. Copper) And not to take you back to
13 2018, but I see looking at Page 2 of the article, the
14 third paragraph on the page, you wrote -- begin with,
15 "You see, the county judge has a problem. He is a bully.
16 Bullies don't want advice because they are never wrong."
17 Is that accurate, what's written there?

18 A Yes, ma'am.

19 Q And when you refer to "the county judge,"
20 you're talking about Judge Henry?

21 A Yes, ma'am.

22 Q Now, I understand your relationship has
23 improved since then, but can you tell me, at the time,
24 why did you write that he was a bully?

25 A Because he was. Bullies intimidate. They're

1 mean-spirited. I may fire somebody for nonperformance,
2 but it's never personal, and everything with Judge Henry
3 is very personal.

4 MS. OLALDE: I'm going to object --

5 Q (By Ms. Copper) Does that include policy
6 work --

7 MS. OLALDE: Hold on.

8 Q (By Ms. Copper) -- or --

9 MS. OLALDE: Hold on. I'm going to place an
10 objection to the extent that that calls for speculation.

11 But go ahead.

12 A Was there a question?

13 Q (By Ms. Copper) Yes, ma'am. Are you aware of
14 other instances besides the issues with Ms. Quiroga where
15 you believe Judge Henry has ever been a bully?

16 MS. OLALDE: Again, I'm going to object to the
17 extent the answer -- the question calls for speculation.

18 A There were a couple of IT employees and an IT
19 director who were fired. I believe they might have
20 disagreed based on what they've told me. Whether it was
21 factual or not, I don't know. But they made decisions
22 that were not -- did not conform to what the judge wanted
23 them to do, and they no longer work for the county.

24 Q (By Ms. Copper) And you said that you've now
25 gone through two redistricting cycles; is that correct?

1 A Yes, ma'am.

2 Q And both of those, you had to work with
3 Judge Henry to some extent. Is that also correct?

4 A Not really. We did not -- there was no direct
5 contact other than me requesting funding from
6 commissioners court. When he did receive his accurate
7 voter card, he took a picture of it and texted it to me
8 and said, Job well done. That was very kind, but that's
9 about the extent of it.

10 Q But you never had any direct contact with
11 Judge Henry, he never emailed you, set up a phone call,
12 came to meet with you about redistricting?

13 A Not that I recall.

14 Q Have you ever heard any comments from others
15 about Judge Henry being a bully with respect to the
16 redistricting process?

17 A I'm not sure that I've heard from anybody that
18 he was a bully about redistricting. And so no, I -- the
19 answer to that would be no.

20 Q You've mentioned, though, that there have been
21 criticisms with respect to Stephen Holmes' continuing
22 role on the commission after the new plans were adopted;
23 is that correct?

24 MS. OLALDE: Objection, misstates prior
25 testimony.

1 A Yes, I'd have to ask you to repeat that
2 question. I'm not sure I really understood the question.

3 Q (By Ms. Copper) Of course. You had mentioned
4 earlier that you had heard criticisms or complaints about
5 the redistricting process with respect to its effect on
6 Commissioner Holmes' district; is that correct?

7 A I've not heard complaints about it. That was a
8 concern I think was communicated in the media and -- to
9 the best of my recollection.

10 Q But any reports over that are things that
11 you've heard from public reporting, not direct
12 conversations you've had with anyone?

13 A Yeah, I've not had any direct conversations
14 with anybody about that.

15 Q Okay. Now, Ms. Johnson, my colleague,
16 Ms. Garrett, asked you about a couple emails, and I know
17 we've spoken about the January 14th email where you had
18 asked to have things like open dialogue, the ability to
19 look at plans before -- or proposed plans. Is that
20 accurate?

21 A Yes, I had asked for that in emails and in
22 correspondence.

23 Q In your opinion only, if the county
24 commissioners had involved you in the planning process
25 with an eye towards implementation then, do you think

1 there's a chance we might not be sitting here in
2 litigation over the county's map?

3 MS. OLALDE: Objection, calls for a lot of
4 speculation, also for legal conclusions.

5 You can answer to the extent it's possible.

6 A I do not believe they could have done anything
7 differently to ease my implementation that regarded their
8 precincts. The difficulty for me was -- that would've
9 made it easier was had they not split voting precincts
10 within the county commissioner precincts. I understand
11 there was a need for them to do that due to population
12 totals, I would assume, but I don't believe that the
13 overall decision for county commissioner precincts in my
14 implementation would have been -- or Galveston County
15 commissioner precincts would've changed or my input
16 would've changed their overall big plan with regard to
17 the four precincts that they established.

18 Q (By Ms. Copper) And how things shook out in
19 terms of precinct splits, do you think that if the
20 commissioners had adopted Map 1 in terms of Map 2, there
21 would have been any difference in the issue of precinct
22 splits?

23 A As far as I know, no, because if I look at
24 those maps today, the areas where they split were
25 outside -- were in the center of the commissioner

1 precincts. They weren't along the boundaries that maybe
2 had separated or changed Precinct 3. They were
3 predominantly in the League City or South Shore Harbour,
4 densely populated, new areas of development.

5 MS. COPPER: Okay. I believe that those are
6 actually all of my questions for you, but if you don't
7 mind if we take a quick five-minute break, just so I can
8 confer. And then otherwise, if that's it, I will be
9 happy to hand you over to my colleague, Mr. Newkirk.

10 THE WITNESS: Thank you.

11 MS. OLALDE: Thank you. We can take a break.

12 THE VIDEOGRAPHER: Time is 3:55. We are now
13 off the record.

14 (Recess.)

15 THE VIDEOGRAPHER: Current time is 4:03 p.m.
16 We're now back on the record.

17 MS. COPPER: Ms. Johnson, I just wanted to
18 confirm that I have asked all of my questions of you and
19 to thank you very much for taking the time to talk to me
20 today. I'm going to pass you off to my colleague, Zach
21 Newkirk for the government, who I believe is sitting in
22 the same room with you.

23 THE WITNESS: Yes, he is. Thank you very much.

24 | EXAMINATION

25 BY MR. NEWKIRK:

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1 Q Hi. Good afternoon, Ms. Johnson. Zach Newkirk
2 again --

3 A Good afternoon.

4 Q -- for the United -- on behalf of the United
5 States -- also for the United States. Thanks so much for
6 your time this afternoon. I don't anticipate --

7 THE REPORTER: Excuse me.

8 MR. NEWKIRK: Yes.

9 THE REPORTER: I am not hearing every word that
10 you're saying. You're going to need to speak towards the
11 microphone. I'm only hearing the loud words you're
12 saying.

13 MR. NEWKIRK: Would it be okay to unmute
14 myself?

15 MS. OLALDE: I have an external mic speaker.
16 We could try that. Sometimes it works, sometimes it
17 doesn't.

18 MR. NEWKIRK: I could try to enunciate really
19 loudly, if that's okay. Is this all right, Ms. Carter?

20 THE REPORTER: Yes, I'm hearing you now. Thank
21 you.

22 MR. NEWKIRK: All right. Sorry about that.
23 Okay. I don't know what you caught, Ms. Carter, but
24 essentially, I'm Zach Newkirk on behalf of the United
25 States.

1 Q (By Mr. Newkirk) Ms. Johnson, thanks so much
2 for your time. I know we've covered a lot of ground.
3 I'll do my very best to not repeat any questions that
4 have been asked already, so this might seem a little
5 disjointed more so than the others. So I will just go
6 ahead and dive in.

7 So earlier this morning you were describing a
8 couple of the organizations that you're a part of.

9 A Uh-huh.

10 Q And just -- do you mind reminding me? There
11 are two organizations, Republican Women -- do you mind
12 just reminding me what they are?

13 A Galveston Republican Women and Texas Gulf Coast
14 Republican Women.

15 Q Gotcha. And how long have you been a member of
16 the Galveston Republican Women?

17 A Off and on since I first ran for office in
18 2004.

19 Q Okay. And do you hold any positions in that
20 organization?

21 A No, I do not.

22 Q And in that role as a member of Galveston
23 Republican Women, do you ever interact with any member or
24 past or former -- past, former or present member of the
25 commissioners court?

1 A There are frequently different ones that will
2 attend the meetings occasionally, yes.

3 Q Okay. And when you see them at these meetings,
4 do you ever talk to them?

5 A Yes, but typically not county business.

6 There's too much activity going on and it just wouldn't
7 be appropriate for us to talk shop there.

8 Q Okay. So have you ever discussed redistricting
9 at all?

10 A Not at any of those meetings that I recall.

11 Q Okay. How long have you been a member of the
12 Gulf Coast Republican Women?

13 A Texas Gulf -- it was created about a year and a
14 half -- well, actually, it was created in late 2019, and
15 so I joined at that time.

16 Q Do you hold any positions in that organization?

17 A No, I do not.

18 Q In that role as a member of that organization,
19 do you interact regularly or at all with any past, former
20 or present members of the commissioners court?

21 A No, and I don't actually specifically
22 remember -- unless they were speakers, I don't ever
23 recall them even attending the meetings.

24 Q All right, thank you. I'll be shuffling a
25 lot --

1 THE REPORTER: I'm sorry, I didn't hear that.

2 MR. NEWKIRK: Sorry, Ms. Carter. I just said
3 I'll be shuffling my papers a lot, so you might hear some
4 ambient noise, but apparently you didn't hear it.

5 Q (By Mr. Newkirk) So Ms. Johnson, you were first
6 elected to county office in 2004, correct?

7 A Yes, sir.

8 Q And did you have a primary election that year?

9 A Well, I had a primary election, but I had no
10 opponent.

11 Q And did you have a general election opponent?

12 A Yes, I did.

13 Q What made you first decide to run in 2004?

14 A I had been asked in 2002 to run by
15 Commissioner Clark when the seated tax assessor-collector
16 stepped down, and it was the different parties that were
17 appointing the person that was going to run in November
18 to fill an unexpired term. And so he first -- was the
19 first person who ever asked me to run in the position,
20 and I was not selected to run in that November election,
21 but it stayed kind of in my mind. I watched the elected
22 tax assessor-collector who did win that race, and made a
23 judgment decision in 2004 that I could do a better job.

24 Q What was it like to run county-wide as a
25 Republican in 2004?

1 A Very difficult. At that point in time, there
2 were no county-wide elected Republicans, and so Judge Cox
3 and myself and a gentleman ran for sheriff, so there were
4 three of us that were basically running together during
5 that campaign. We were received very well, but we -- we
6 just went to the people and ran very grass roots
7 campaigns.

8 Q I'm sorry, who is Judge Cox?

9 A Judge Lonnie Cox. He's the judge of the 56th
10 District Court. We were on the same ballot at the same
11 time.

12 Q So the office he was running for was for that
13 office --

14 A Yes.

15 Q -- or for county judge?

16 A For district judge, state district judge.

17 Q When you were running in 2004, did you have a
18 campaign staff?

19 A Myself and my husband and my two children.

20 Q Did you hire any outside consultants?

21 A No, I did not.

22 Q Did you have interns, unpaid interns?

23 A I wish. No -- but no, I did not.

24 Q Volunteers?

25 A Yeah -- yes, many volunteers.

1 Q Roughly how many volunteers?

2 A Very active, probably about 25 in different
3 parts of the county.

4 Q Was it a pretty wide geographic dispersal of
5 your volunteer base?

6 A Yes.

7 Q Were there any areas you felt like they were
8 not from or representing or bringing energy to your
9 campaign?

10 A Probably Bolivar Peninsula, because it was just
11 remote.

12 Q Moving forward to your first reelection
13 campaign -- which would have been in 2008; is that
14 correct?

15 A Yes.

16 Q Did you have a primary opponent that year?

17 A No, I did not.

18 Q Did you have a general election opponent?

19 A Yes, I did.

20 Q What was your general election campaign
21 strategy in 2008?

22 A To continue the progress that we had made.

23 I've always run on the exact same platform, even to this
24 day; increase service, reduce costs, fight for tax --
25 property tax relief. And so I ran on having fulfilled

1 those promises with more to be done.

2 Q And going back in time a little bit to 2004,
3 did you hold campaign events?

4 A Oh, yes.

5 Q What sort of events?

6 A One of them that was a particular passion of
7 mine and I continued for several years was Tax Freedom
8 Day celebration. So the day in April or May, depending
9 on when federal taxes were, you know, you finally reach
10 the point you were working for yourself instead of the
11 government, we always -- I used to do a soup and bread
12 celebration. We were all broke. It was kind of fun.

13 Q Where -- where was that soup and bread
14 celebration located?

15 A Wherever I could find inexpensive locations.

16 We held it once at the Gulf Greyhound Park in their large
17 banquet room. I think I also held it at a -- in a
18 shopping center. I don't remember specifically which one
19 of the stores that we were in, but the least expensive
20 places that I could find.

21 Q And where geographically in the county?

22 A Mid-county. Those were very much mid-county,
23 so La Marque, Texas City area.

24 Q Gotcha. And how many folks were present
25 typically at these events, at the soup and bread

1 celebration?

2 A Yeah, anywhere from 25 to a hundred.

3 Q As part of your general election campaign, did
4 you attend community events?

5 A Yes.

6 Q What sort of community events?

7 A Every single one that I could find.

8 Q Can you give a few examples?

9 A Every chamber luncheon, every chamber
10 networking event. Those were typically in the morning.
11 Mixer in the evening. I predominantly tried to attend
12 community events. Kemah would have different events. I
13 would go to Mardi Gras parades, 4th of July parades. I
14 tried to spend as much time out and about in the
15 community where the people were, so fall festivals in --
16 like in Santa Fe. La Marque, I would go to Octoberfest
17 on the island. So really any place where there was
18 something going on. The oyster cookoff in Crystal Beach
19 was always -- or Port Bolivar was always a favorite. So
20 really, any place where there was something going on.

21 Q You had said "Kemah." What is Kemah?

22 A Kemah is a community on the coast, on the
23 water, not too far from where we're at right now.

24 Q Is that a...

25 A It's a city.

1 Q Oh, okay.

2 Did you engage with voters outside of these
3 events through things like door-knocking or canvassing
4 and passing out campaign literature, things like that?

5 A Yes, sir.

6 Q Did you target certain parts of Galveston
7 County as areas where you could get the most votes?

8 A I went anywhere where there were people.

9 Q And any parts of the county where you didn't go
10 to not get any -- let me rephrase.

11 Were there parts of the county that you ignored
12 on the campaign trail for whatever reason?

13 A I can't say so. I -- there were 13 cities in
14 Galveston County, and so I tried to make a point of
15 attending events in each one of those cities, whatever
16 events they were holding.

17 Q Since your first election in 2004 and your
18 subsequent reelections in 2008, 2012, 2016, 2020, have
19 you found your campaign strategy to remain consistent?

20 A Yes. During those time periods where I was not
21 opposed, I would attend community events but far less,
22 did not block walk or actually do any campaign
23 activities, although we would still put up signs.

24 In 2020, it was the first time I had a primary
25 opponent, so I targeted the Republican primary list of

1 voters. That was different for me. And really, I --
2 so -- so that was -- that was very different for me,
3 because I've never targeted Republican or Democrat. I've
4 asked for everybody to support me.

5 Q Any other reasons why that was different for
6 you?

7 A Other than the fact that I had a -- somebody
8 that I had once considered a friend running against me,
9 no, that was -- it was unusual to me to have a Republican
10 running against a seated Republican incumbent who I felt
11 was doing the job.

12 Q In 2012, did you have a general election
13 opponent?

14 A No, I did not.

15 Q In 2016?

16 A I wasn't on the -- I think it was -- oh, wait a
17 minute. So 2012, 2016, no, I had no opponent. So I went
18 a couple of times without an opponent at all.

19 Q And in 2020, did you have a general election
20 opponent?

21 A No, I did not.

22 Q What areas of Galveston County do you consider
23 to be your basic support?

24 A Galveston Island for sure. Friendswood, when I
25 look at the numbers, because that's where I live, about

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1 82 percent of the voters there have always supported me.
2 League City, there's a large number of people, but it has
3 grown so much that I predominantly would stick to the
4 older parts of League City rather than the newer parts of
5 League City, because those people knew me because I'd
6 been in office for a while, rather than new residents who
7 did not. Kemah, Clear Lake Shores, Texas City,
8 Dickinson. So really, a little bit of everywhere.

9 Q When you were talking about old versus new
10 League City, can you talk a little bit more -- are you
11 referring to length of residency or --

12 A No, it's more the way the development occurred.
13 On the east side of I-45 is basically the older sections
14 of League City, and that's part of where we are right
15 now, although we're -- we're further out into the South
16 Shore Harbour area. And then the west sections of League
17 City are where most of the new development has occurred.

18 Q And you believe that your bases of support has
19 remained pretty consistent over time or --

20 A I'd say it has, yes.

21 Q Can you pull up -- I actually have a hard copy
22 if you prefer.

23 A Oh, I prefer a hard copy. Thank you.

24 Q This was previously marked as Exhibit 2, I
25 believe, but I also have it here --

1 THE REPORTER: Sorry, I'm not hearing you. It
2 was marked as Exhibit what?

3 THE WITNESS: 2.

4 MR. NEWKIRK: 2.

5 Q (By Mr. Newkirk) Ms. Johnson, I know we've
6 looked at this email for quite a bit of time. I just
7 have a couple quick follow-up questions.

8 Looking down at the second paragraph, there is
9 a phrase in the second sentence -- I'll just go ahead and
10 read the second sentence.

11 A Yes, please.

12 Q "Implementing these plans is a challenge,
13 particularly since there is no coordinated effort." Did
14 I read that correctly?

15 A Yes, sir.

16 Q What did you mean by "coordinated effort"?

17 A There was no single person -- and I think that
18 I was hoping to be that person -- who was pooling all the
19 different pieces together. So we had county
20 commissioners doing their own thing, and we had the
21 Dickinson ISD and Hitchcock ISD and the Texas City ISD
22 school boards doing their own thing. And so we had --
23 what I was hoping to do was pool all those various pieces
24 together and there be a more organized effort and that
25 would simplify our implementation.

1 Q And in your opinion, would this process of
2 centralizing -- simplifying take a large degree of
3 planning and time on your end?

4 A If there was not a coordinated effort, yes,
5 there could be, and there -- there certainly was. There
6 was not really any coordination that occurred.

7 Q Was this recommendation -- suggestion about
8 coordinating efforts based on your experience in past
9 redistricting cycles?

10 A Yes.

11 Q Was -- can you explain a little bit more what
12 happened that caused you to make this suggestion?

13 A In 2011, I did not even know what single member
14 districts we were going to have to implement. I was not
15 that familiar with all the different governments and when
16 their decisions may or may not be made or -- so in 2021,
17 knowing everybody who was affected, all the different
18 governments, as I said, I tried to pool those together so
19 that we could have some common boundaries and so forth.

20 Q As far as you know, did the commissioners take
21 this advice?

22 A To my knowledge, they did not take my advice.

23 Q Without speculating, do you know why not?

24 A No, I really don't.

25 Q In 2013, do you recall a redistricting process

1 that occurred at the JP and constable districts?

2 A I recall in 2011 that there was a combination
3 that they were -- the eight were combined. Is that what
4 you're referring to?

5 Q I'm referring to the process in 2013.

6 A There was a process in 2013?

7 Q I'll represent to you that there was a
8 redistricting process for JP and constable districts in
9 2013.

10 A Okay. I had assumed that that occurred in 2011
11 when everything else was changed.

12 Q Okay. I was going to ask if you had any
13 difficulties with that redistricting process in 2013.

14 A It would have been difficult because we were
15 taking eight and taking it down to four, which meant
16 combining, changing every single entitlement for all the
17 affected voters. And we had no technology then that we
18 could take large areas and move them at one time.

19 Q Is it fair to say that this particular
20 recommendation that you flagged about coordinating, that
21 is a separate issue that --

22 THE REPORTER: I'm sorry, could you speak up,
23 please?

24 MR. NEWKIRK: I am so sorry, Ms. Carter.

25 Q (By Mr. Newkirk) So my question -- I'll just

1 rephrase it. Ms. Johnson, is it fair to say that the
2 recommendation that I flagged here about not coordinating
3 is a separate issue that -- from the JP constables going
4 from eight to four?

5 A Yes.

6 Q Okay. Ms. Johnson, do you see in the second
7 paragraph in -- in the second-to-last line, you reference
8 in quotation marks "dot" precincts?

9 A Yes, sir.

10 Q What is a dot precinct?

11 A It would be an additional precinct that was
12 created because you were not -- the redistricting does
13 not allow, say, a state representative to -- or two state
14 representatives to represent the same precinct. So dot
15 precincts were created to break out to create separation,
16 so that, for instance, House District 22 -- 23, we could
17 run a complete list of whole precincts, and the dot
18 precincts became an additional like subprecinct.

19 Q I see. So it would always be smaller than
20 the --

21 A Much smaller, yes.

22 Q Okay. I understand.

23 Going down to the third paragraph here, we have
24 combed over this language a time today, but I just wanted
25 to ask a couple things. I'll just read this.

1 "Therefore, I reached out to all of the officials,
2 including Judge Henry -- not for the purpose of having
3 any impact on your decisions (except for JP and
4 Constable) but to be included from the standpoint of
5 providing input on whether certain proposed plans would
6 be better planned differently." Did I read that
7 correctly?

8 A Yes, sir.

9 Q When you say -- or when you say "provide
10 input," can you describe to me what you mean by "input"?

11 A That they change entire precincts rather than
12 split or combine. That if they're going to split, that
13 they use the natural boundaries so it clearly -- so we
14 could clearly identify different streets and entitlements
15 for the individual voters living in those areas.

16 Q What are some other issues that arise when a
17 voting precinct or election precinct is split?

18 A What we have to do is take the entire original
19 precinct and define which streets go into what -- which
20 new voting precinct. So we might -- so there could be
21 anywhere from 200 to a thousand streets and entitlements
22 within that precinct that we're having to separate. So
23 it's just a very tedious, cumbersome process, and just
24 takes a long time and leaves a lot of room for error.

25 Q Going down to the sixth paragraph of this

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1 email, you write at the end of the first line, "It is
2 relatively easy for me to know when you will meet to
3 discuss redistricting -- not so much the other entities."
4 Did I read that correctly?

5 A Yes, sir, you did.

6 Q What is the basis of your belief that it would
7 be relatively easy for you to know when the commissioners
8 court is discussing redistricting?

9 A I'm on the distribution list for agendas, and
10 so I receive that and my staff receives it.

11 Q Not so much of the other entities, though?

12 A Right.

13 Q Okay. At the end of this paragraph, you write,
14 "I hope to avoid the use of costly contractors and
15 implement the redistricting plans in-house." Did I read
16 that sentence correctly?

17 A Yes, you did.

18 Q Earlier this morning we were discussing what it
19 means to plan things in-house, and I think you had
20 referenced Galveston Island in 2011 --

21 A Yes.

22 Q -- you had to use outside vendors. Is that
23 what you were talking about here?

24 A Yes.

25 Q So you're not talking about the demographers or

1 the map drawers who actually draw --

2 A No. No.

3 Q Okay. Will you pull up -- this was already

4 introduced as Exhibit 5, so there's a hard copy. I

5 wanted to find that --

6 THE REPORTER: I'm sorry, I'm not hearing you.

7 MR. NEWKIRK: Sorry, Ms. Carter. I said we're

8 going to pull up Exhibit 5, but I also have a hard copy

9 that I'll distribute here. One moment.

10 A Thank you.

11 Q (By Mr. Newkirk) Again, this is a document,

12 Ms. Johnson, that we've seen before. I just have a

13 couple quick follow-up questions.

14 You see the email from May 20th, 2021, from you

15 to Tyler Drummond, subject line "Asked and answered"?

16 A Yes, sir.

17 Q Looking at the second paragraph in this email,

18 do you see where you note that the county -- I'm sorry,

19 that "the county would have to take the lead"?

20 A Yes.

21 Q What did you mean by "county would have to take

22 the lead"?

23 A So what my hope was is that they would identify

24 their voting or election precincts so then that could be

25 shared with the other jurisdictions and that any changes

1 they would make, they would take entitle -- entire
2 precincts if they were going to make changes so that they
3 would consider those lines.

4 Q At this point in May of 2021, did you believe
5 the county was going to take the lead or was that (audio
6 cutting out) at this point?

7 A I was hoping -- of course, the legislature
8 needed to adopt the different federal and state
9 boundaries first, and then for them to follow that
10 after -- they would be the ones after that. So on a
11 local level, it would be my -- would've -- it was my
12 preference that they make their decisions first.

13 Q As best as you can recall, did that end up
14 being the sequence of events?

15 A I believe that the City of Galveston actually
16 adopted theirs before the county commissioners did.

17 Q Looking at the timestamps of the email, this
18 one you sent to Tyler Drummond at 1:50 p.m. --

19 A Uh-huh.

20 Q -- you were forwarding an email received at
21 1:48 p.m. Any reason in particular that it was so quick
22 that you forwarded --

23 A I was so excited that the census bureau
24 actually responded to me.

25 Q Had you been anticipating a response?

1 A I really didn't expect them to respond, so I
2 was very pleased.

3 MR. NEWKIRK: That's all I have on that
4 document.

5 Could we pull up Exhibit 9 that has already
6 been introduced? And again, I have a hard copy that I'll
7 distribute. One moment.

8 A Thank you.

9 Q (By Mr. Newkirk) Ms. Johnson, again, this is a
10 document we've reviewed before. This is an email you
11 sent Tyler Drummond on Friday, October 22nd, at -- 2021,
12 at 3:45 p.m., subject line, "Voters in County by
13 Precinct," with one attachment, "Galveston County Voters
14 by Precinct August 2021." Is that accurate?

15 A Yes, sir.

16 Q Flipping to Page --

17 THE REPORTER: I'm sorry, flipping to Page
18 what?

19 MR. NEWKIRK: I'm sorry, Ms. Carter, I had a
20 piece of paper over my face.

21 Q (By Mr. Newkirk) Flipping the page to the
22 attachment, do you see the date 8/13/21 at the top of
23 these tables?

24 A Yes, I do.

25 Q Do you agree that Mr. Drummond requested this

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1 information in October of 2021?

2 A Yes, based on my email.

3 Q Was this the most up-to-date data that you had

4 that he was requesting from August?

5 A We could've run another list, but he apparently

6 wanted the original list that I had sent to commissioners

7 previously in August.

8 Q Do you recall if this was the first time

9 Mr. Drummond requested the breakdown of registers voters

10 from you or your office?

11 A I believe it may have been the only time that

12 he requested it.

13 Q Did the timing of his request in October 2021

14 surprise you, considering that you had previously thought

15 redistricting was around the corner earlier that year?

16 A I didn't really consider that.

17 MR. NEWKIRK: Those are all the questions I

18 have on that document.

19 Okay. I'll introduce an exhibit. Kathy, it's

20 going to be saved in Exhibit Share as U.S. Tab 11. And I

21 have a hard copy here.

22 MR. MUNK: Exhibit 17 has been introduced.

23 Q (By Mr. Newkirk) Ms. Johnson, if you want to

24 just take a moment -- because we've not reviewed this

25 document yet, just take a moment and tell me if you're

1 [REDACTED] familiar with this email chain.

2 A Yes, I am.

3 Q Okay. Can you see the email -- well, actually,

4 I don't think we've talked about her yet, but who is

5 Kristi Saludis?

6 A She was the senior voter registration

7 specialist in my voter registration department.

8 Q When did she begin there?

9 A Oh, goodness. As I recall, six or seven years

10 ago.

11 Q And is she there still?

12 A No, she's not.

13 Q Do you see down in the email that she sent to

14 you dated 11/10/21, 8:45 a.m., where she writes, "There

15 is a" -- "There is a special Agenda for Friday,

16 11-12-2021"?

17 A Yes.

18 Q Was this the first time you learned about the

19 November 12th special session?

20 A I would say that that's very likely, although

21 the email that I sent on November 9th said, "I did not

22 see a posted meeting for today but they did post a

23 meeting for next week." I'm not sure that I saw that

24 specifically, but she did clarify that.

25 Q Do you see the most recent email in this chain

1 when you asked Kristi Saludis, "Is that meeting in League
2 City?"

3 A Yes.

4 Q Why did you ask whether the meeting was in
5 League City?

6 A The county commissioners meet typically in the
7 county courthouse on the island. They frequently hold
8 special called meetings in League City, the League City
9 Annex Building. And so without having seen that agenda,
10 I would not known -- have known where the meeting was to
11 be held.

12 Q Did you think it might be held in Galveston in
13 the courthouse?

14 A On Fridays, they rarely drive to Galveston
15 Island. They're frequently in League City if they have a
16 meeting outside of the regularly scheduled meetings.

17 Q Are special meetings always held in League
18 City?

19 A No, sir.

20 Q Can they be held in other -- or can they be
21 held in Galveston, in the courthouse in Galveston?

22 A Yes.

23 Q In any other location that you're aware of?

24 A I -- I don't know that they ever have, and I'm
25 not aware -- I don't know why they could not. They have

1 other buildings in different areas of the county.

2 Q How long have -- to the best of your memory,

3 how long have special meetings been held in League City?

4 A Off and on, probably over the last four years,

5 four or five years.

6 Q Do you know -- do you know, without

7 speculating, what prompted the development of special

8 meetings in League City?

9 MS. OLALDE: I'm going to object and ask the

10 witness not to speculate.

11 Go ahead.

12 THE WITNESS: Oh, I can answer that?

13 MS. OLALDE: Uh-huh.

14 A I don't know specifically.

15 Q (By Mr. Newkirk) Have you ever attended a

16 commissioners court meeting in League City?

17 A Yes, I have.

18 Q Could you describe the meeting space?

19 A It should -- the only one that I have -- well,

20 no, there's two locations. They used to be in the old

21 League City Annex, which is now being renovated. And the

22 most recent one that I attended, those would be held in

23 Judge McCumber's court, and there was seating for

24 probably 35 people. And the space they're using now,

25 Judge McCumber's court is in a temporary building while

1 the renovation's underway, a far less comfortable space.

2 Q In which of the locations that you just
3 described is the one on Calder Road?

4 A They're both on Calder Road.

5 Q Oh, okay. Do you happen to know -- scratch
6 that.

7 Have you ever attended a commissioners court
8 meeting at the courthouse in Galveston?

9 A Yes, I have.

10 Q Can you describe that meeting space?

11 A They actually have a formal courtroom-type
12 setting with a dais where they sit, speakers, seating.

13 Since COVID, half the amount of seating. That they have
14 a lot of audiovisual equipment there that makes it really
15 comfortable for people, good sound equipment, so forth.

16 Q And that audiovisual equipment is not available
17 in League City?

18 MS. OLALDE: Objection, calls for speculation,
19 also overbroad.

20 Go ahead.

21 A I believe that IT brings that -- that equipment
22 with them and sets it up.

23 Q (By Mr. Newkirk) Did you ever learn about the
24 size of the attendance at the November 12th special
25 session when the commissioners court maps -- map was

1 adopted?

2 A I saw minutes of that meeting last week that

3 had a list of people who had spoken at that meeting.

4 That was the first time I had seen that.

5 Q Did the length of that list surprise you or

6 not?

7 A Not necessarily.

8 Q I believe that's all I have on this.

9 MR. NEWKIRK: I'd like to introduce another
10 exhibit. Kathy, it's saved as U.S. Tab 12. And again, I
11 have hard copies for folks here.

12 A Thank you.

13 Q (By Mr. Newkirk) Ms. Johnson, you see that this
14 is an email exchange between Nathan Sigler and you dated
15 Friday, November 12th, 2021, at 12:32 p.m., and there are
16 two attachments?

17 A Yes, sir.

18 Q Do you recognize this document?

19 A I -- I do.

20 Q And do you see where he writes, "Here are the
21 breakdown lists as requested"?

22 A Yes, I see that. Yes.

23 Q Do you recall when you requested those lists?

24 A I'm not sure whether I requested them or if
25 Ms. Moreno requested them. Obviously, we had not had

1 them before this time. I don't remember specifically
2 requesting them myself.

3 Q Turning to the attachment -- or attachments,
4 plural, can you go to the one with the number at the
5 bottom right that says DEFS00020460?

6 A Yes. Yes, sir.

7 THE REPORTER: Excuse me, while she's turning
8 to that page, the page-flipping is right on the
9 microphone and your voice is very far from the
10 microphone, so I'm having a hard time picking up your
11 voice, Mr. Newkirk.

12 MR. NEWKIRK: All right. I'll lean in some
13 more.

14 Q (By Mr. Newkirk) Ms. Johnson, at the very top
15 of this page, do you see where it says 'Map 2'
16 Commissioner Precinct By Current Voting Precincts &
17 Splits"?

18 A Yes, sir.

19 Q Do you know what "Map 2" means?

20 A It would've been one of the maps that they were
21 considering.

22 Q For commissioners court?

23 A For commissioners court, yes. For commissioner
24 precincts.

25 Q And do you see where it says "If the Voting

1 Precinct has 'A' at the end it is a split Precinct"?

2 A Yes.

3 Q Can you describe what this chart shows us?

4 A From my perspective as the implementer of these
5 plans, that would tell me, based on these plans, the
6 difficulty of the task. So under Commissioner
7 Precinct 1, it has 336, has two precincts with As,
8 meaning two precincts would have to be split, or all the
9 rest may require -- as in the 336, 343 and 347 would only
10 require a name change. So from my perspective, it
11 communicates the complexity of the task.

12 Q And stepping back a little bit, the numbers --
13 the three-digit number, that's simply the name of the
14 voting precinct?

15 A Yes.

16 Q Earlier today you talked about how the first
17 digit refers to the commissioner's precinct --

18 A Yes.

19 Q -- correct? Do the other numbers, the other
20 two digits, have any meaning to them?

21 A I do not believe they do. I'm not certain.

22 Q Okay. So it doesn't mean, for example, that
23 they're close geographically together?

24 A No.

25 Q So 150 and 151 could be across, you know, the

1 street or --

2 A Yes.

3 Q -- (indiscernible).

4 A As far as I know I'm not aware of any
5 particular -- it was just the order over time that
6 they've evolved.

7 Q Looking, for example, at this first column,
8 Commissioner's Precinct 1, about halfway down, you see
9 165.1?

10 A Yes, sir.

11 Q What does that .1 mean? Is that one of those
12 dot precincts?

13 A That's one of those dot precincts, yes, sir.

14 Q And can you describe, how is that different
15 from one that has an "A" after it?

16 A It would be much smaller. So a 165-A would've
17 originally been part of 165, but a portion, a sliver or
18 whatever, was changed to accommodate the -- whatever
19 elected official that that was set up for. Typically
20 they're very small, where the other ones are entire
21 precincts of anywhere from 500, I guess, to 5 or 6,000
22 voters.

23 Q Looking at the column Commissioner Precinct 2,
24 I see a couple of dot precincts. One of them says 232.1,
25 and another says 232.3. Does the number coming after the

1 decimal place have any meaning?

2 A Not to my knowledge. My -- without looking at
3 a map, it would probably mean they're on -- in different
4 parts of the precinct. So the dot 1 might be on one side
5 of it and dot 3 would be on the other side of the whole
6 precinct, although I don't see a 232. Yes, I do,
7 under 4.

8 Q Do you mind flipping the page to -- to what
9 ends in 458?

10 A Okay.

11 Q And we see that this is titled "'Map 1'
12 Commissioner Precinct By Current Voting Precincts &
13 Splits," correct?

14 A Yes, sir.

15 Q Can you describe what this chart shows us and
16 if it differs in any significant way from the one we were
17 just looking at?

18 A Without putting them side by side, it's --
19 there's -- I would guess that there's certain changes --
20 there's certain precincts that are included in some of
21 these lists that are in the other commissioner precincts
22 on the other list. It looks like there's more in
23 Precinct 3, more individual precincts in Precinct 3 than
24 there were on the other map, and fewer for the other
25 commissioner precincts.

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1 Q Thank you. That's all I have for this
2 document.

3 MR. NEWKIRK: I'd like to now introduce an
4 additional document. I saved this on Exhibit Share as
5 U.S. Tab 13.

6 THE WITNESS: Thank you.

7 THE REPORTER: While he's getting that pulled
8 up, could we go off the record, please?

9 MR. NEWKIRK: Sure.

10 THE VIDEOGRAPHER: Okay. Current time is now
11 4:49 p.m. We're now off the record.

12 (Recess.)

13 THE VIDEOGRAPHER: Current time is 4:57 p.m.
14 We're now back on the record.

15 Q (By Mr. Newkirk) Okay. So we're looking at
16 what was marked as U.S. Tab 13 -- it's now an exhibit --
17 and you've had a chance, Ms. Johnson, to take a look at
18 it. Do you recognize this document?

19 A Yes, I do.

20 Q And you agree that this is an email sent from
21 you sent to Nathan Sigler on Monday, November 15th, 2021,
22 with a subject line "Precinct List with Lots of Info"?

23 A Yes, sir.

24 Q We were also taking a look at the attachments.

25 A Yes, sir.

1 Q I also have a printed copy of the original.

2 It's not as easy to see, but I left that --

3 A (Indiscernible.)

4 Q Okay. So first looking at the body of the
5 email, which is on the document titled -- or I'm sorry,
6 with Bates stamp Number DEFS00016754, do you see the
7 first sentence that you wrote, "Attempted to compile all
8 of the various pieces based on our discussions in your
9 previous Map 2 listing"?

10 A Yes, sir.

11 Q Do you mind taking me through the discussions
12 that you're referring to here with Mr. Sigler, how many
13 there were, when were they, to the best of your memory?

14 A Looking at the time of this email, I -- I
15 really don't recall. I would imagine that those
16 conversations took place throughout the day on that
17 Monday.

18 Q Would any of them, to the best of your
19 recollection, have occurred before November 12th, 2021?

20 A I -- I don't know. Nathan and I spoke to each
21 other often, but based on the fact that the commissioner
22 precincts were adopted on that Friday, it is very likely
23 that this was the result of discussions to try and
24 implement that which was voted on.

25 Q In the last paragraph where you write, "You had

212

1 mentioned 232.1 and 232.3 may merge into 225. Doing that
2 would create a 5,400 voter precinct."

3 A Yes, sir, I see that.

4 Q By "5,400 voter precinct," do you mean a
5 precinct with 5400 voters?

6 A Yes, sir.

7 Q What are some consequences to you and your team
8 if a precinct has 5400 voters?

9 A It's common knowledge or knowledge that we
10 just, I guess, acquired through the years that each
11 precinct was supposed to be about the same size and that
12 5,000 was the maximum number of voters that should be in
13 a voting precinct. So that exceeded -- that if they
14 combined those, that would exceed that number.

15 Q Do you know, is that 5,000 number custom or is
16 that set by state law or something?

17 A I believe that's established in state law.

18 Q Moving towards the attachment, we have the
19 sheet titled County Commissioner Precincts -- (audio cut
20 out).

21 A Yes, sir.

22 Q Do you agree that two tables appear on this
23 sheet?

24 A Yes, sir.

25 Q Looking at the table on the left, do you mind

1 going through each column and telling me what each column
2 means?

3 A The former CC precinct would have been the
4 former county commissioner precinct. The former precinct
5 number then was the number of that former county
6 commissioner precinct. The change to county commissioner
7 precinct is specifying, based on those maps, which county
8 commissioner precinct it would be changed to, that former
9 precinct. Changed to precinct number, the assumption is
10 made that we would change just the first digit, which
11 would be, in this instance of Line 1, 103 from Precinct 1
12 would move to Precinct 2 and become 203. And then the
13 number of voters in Precinct 103 on November 15th was --
14 that's the number of voters on that date when the list
15 was generated. And then the current total voters in
16 precinct to be split is just another information column
17 where if there was a precinct that they were anticipating
18 split, what the number of voters were in the original
19 precinct.

20 Do you want me to -- you were just interested
21 in the left-hand side?

22 Q Yeah, for now. Thank you.

23 A Okay.

24 Q That was incredibly helpful.

25 You anticipated my next question by running

1 through the first row --

2 A Uh-huh.

3 Q -- and identifying what each cell means. Going
4 down a little bit, do you see that the number 205 and
5 205.1 are highlighted?

6 A Yes, sir.

7 Q Do you know why they're highlighted?

8 A I don't recall why they're highlighted. I was
9 looking to see if I can see that anywhere else. Not
10 specifically, no. I don't give a key here to explain it.

11 Q Do you know why a full row, moving down a
12 little bit, is fully highlighted?

13 A The next one that's highlighted is Precinct
14 1-152 that they were discussing splitting. And so not
15 knowing what that new named precinct would be, I had two
16 lines there. So if they were discussing splitting
17 Precinct 152, we would not know what the change in the
18 number would be, if there would be one at all, or if it
19 would be a new added precinct and to-be-decided name.

20 Q And could you tell me why underneath that 152
21 there's a cell that's blank? Why is that blank?

22 A Because when they split, there was no former
23 county commissioner precinct. It -- it would be assumed,
24 if they were splitting 152, that those were former
25 Precinct 152. But since the precinct didn't actually

1 exist with a new number, would be unspecified.

2 Q Going down a little bit further to the second
3 highlighted row.

4 A Uh-huh.

5 Q You see underneath the 155, that's blank. But
6 also underneath a column saying "No Change," the cell
7 underneath that one is blank for that particular row. Do
8 you see where I'm pointing?

9 A Yes, sir.

10 Q Do you know why that "No Change" -- the cell
11 underneath where it says "No Change" is left blank?

12 A Probably because all of the second ones that --
13 there are -- they are changing -- well, like they weren't
14 necessarily changing. It would be creating likely a new
15 number. So probably all of those should have been blank.
16 So the one that says "No Change" above it should have
17 been blank and the one below it that says "No Change"
18 should've been blank, because we didn't -- we knew it was
19 going to be something, but we didn't know what it was
20 going to be.

21 Q Going down one row, you see a number zero in --
22 it's no longer highlighted, but it's --

23 A Yes.

24 Q -- former Precinct Number 155.1 and then
25 there's a number zero --

1 A Yes, sir.

2 Q -- in a couple of columns. Do you know why
3 that -- or do you know what that zero signifies?

4 A That there were no registered voters in that --
5 in that dot precinct on that date.

6 Q Gotcha. So to summarize, is it fair to say
7 that the highlighted rows mean more or less that
8 the (audio cutting out) --

9 A Split or combined.

10 Q (Audio cutting out) or combined.

11 THE REPORTER: I'm sorry. I'm sorry, your
12 audio is cutting out and I -- could you please repeat the
13 last question?

14 MR. NEWKIRK: I asked, is it fair to say that
15 the highlighted rows mean that a precinct is going to be
16 split. Then Ms. Johnson responded split or combined.

17 Q (By Mr. Newkirk) Ms. Johnson, if you could go
18 to that other table titled "Old Precincts Available in
19 TEAM."

20 A Yes.

21 Q Can you tell me what this table is all about?

22 A So these are all the precinct numbers that at
23 some point in time in Galveston County's history have
24 been used. And so this would present a list of possible
25 precinct numbers that the commissioners could use when

1 they were splitting precincts and creating a new
2 precinct. They could have used others, but these have
3 actually existed in the system.

4 Q Is there a benefit to using a number that's
5 been in the system before?

6 A Not necessarily, no, because then that -- you
7 run out of numbers.

8 Q And some values have decimals. We've talked a
9 bit about dot precincts, but some have values that end,
10 for example, in .02. Does that have any significance?

11 A No. It was a naming convention, and I can't
12 tell you why they were -- some of them were .1 and some
13 of them were .01. It was just the way they were named at
14 the time.

15 MR. NEWKIRK: That's all the questions I have
16 on this document. I am nearly done.

17 I'd like to introduce, Kathy, U.S. Tab 14.

18 Q (By Mr. Newkirk) Ms. Johnson, do you recognize
19 this email?

20 A Yes, I do.

21 Q And you agree that this is from you to a
22 variety of people, Kristi Saludis, Stephanie Berry,
23 George Ott and Kathleen Moreno, dated Friday, November
24 19th, 2021, correct?

25 A Yes, sir.

1 Q We already identified Kristi Saludis. Who's
2 Stephanie Berry?

3 A She was the -- one of the voter registration
4 specialist.

5 Q George Ott?

6 A He was also a voter registration specialist.

7 Q Okay. And looking at the bottom of the email,
8 you write, "Per Commissioner Clark, we are good to
9 proceed with the following county precinct changes." Do
10 you agree?

11 A Yes, sir.

12 Q And by "county precinct," you're referring to a
13 voting precinct; is that --

14 A Yes, sir.

15 Q Were you in contact with Commissioner Clark
16 before you sent this email?

17 A Yes.

18 Q Do you recall how soon before you sent this
19 email you were in contact with him?

20 A Earlier in the day would be my guess. This is
21 sent in the afternoon, and so likely he and I had a
22 conversation sometime before that. It would've taken me
23 a little bit of time to put this together.

24 Q Was his approval necessary to make changes to
25 the voting precincts?

1 MS. OLALDE: (Indiscernible) -ation.

2 You can answer.

3 A Not specifically his approval, although he was
4 the lead commissioner on all of the changes that were
5 underway. I was trying to get some confirmation that we
6 were good to proceed with the naming conventions that had
7 been discussed. And I wanted that documented that he had
8 given us permission to proceed with these changes.

9 Q (By Mr. Newkirk) If you were trying to look for
10 confirmation, is there anyone -- anyone better than
11 Commissioner Clark for that purpose?

12 A There was nobody better for that purpose, no.

13 Q You said he was the lead commissioner on these
14 issues. Was that a official role that he had, or was it
15 sort of an unofficial role?

16 A I believe it was a role that he happily
17 assumed.

18 Q In this email, you also say, "I will send the
19 spreadsheet to print and use when making changes in
20 auditing. It will be our audit trail."

21 A Uh-huh.

22 Q Do you see that? Can you describe -- I guess
23 rather, was there an auditing process?

24 A Yes, sir.

25 Q And how often did that process happen?

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1 A Continuously throughout the changes. Any time
2 a change was made, we had an auditor or somebody standing
3 by ready to confirm that everything changed properly.

4 Q Besides voting precinct changes, what else, if
5 anything, did the audit cover?

6 A To some extent, that entitlements were
7 appropriate and that they had all come over correctly.
8 It was a list very similar to this that had an additional
9 column that the -- two additional columns, likely, change
10 made by who, and then audited by who.

11 Q Who performed that audit?

12 A Various people in the office. Sometimes it was
13 members of -- that are -- people that are listed on this.
14 Ms. Saludis was predominantly making the changes, with
15 Ms. Berry and Mr. Ott doing a lot of the auditing, along
16 with Ms. Moreno and other staff members.

17 Q So it was an internal audit?

18 A Yes, sir.

19 Q Oh, okay.

20 Looking at the table that you attach to this
21 email, this looks similar to the exhibit that we are just
22 looking at. Do you agree?

23 A Yes, sir.

24 Q Do they mean the same thing?

25 A Yes, sir.

1 Q We've run through all the columns, or you did,
2 rather.

3 A Yes.

4 Q Looking down on third page, DEFS0001708, column
5 marked Former Precinct Number, it looks like Precinct 336
6 is not in that column. This would be about a little past
7 halfway down.

8 A Yes, sir.

9 Q Do you agree that you don't see Precinct 336
10 there?

11 A I don't see Precinct 336 there.

12 Q Do you agree that Precinct 336 was split in the
13 fashion of the commissioners court map?

14 A I would have to refer to the other documents.

15 Q Okay. Do you happen to know why Precinct 336
16 does not appear on this list?

17 A Either it didn't exist or these were simple --
18 these were county precinct changes that we could make
19 without further action, former action -- formal action by
20 anybody.

21 Q Thank you.

22 MR. NEWKIRK: That's all I have on this
23 document. I have three more documents and then we'll be
24 done.

25 Can I introduce what's marked on Exhibit Share

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1 as U.S. Tab 15, Kathy?

2 Q (By Mr. Newkirk) Ms. Johnson, do you recognize
3 this email?

4 A Yes, sir.

5 Q Do you agree that it is between you and Paul
6 McLarty, among others, November 12th and November 15th,
7 2021?

8 A Yes, sir.

9 Q Beginning at the sentence of the -- I think we
10 identified him earlier, excuse me, but can you remind me
11 who Paul McLarty is?

12 A He was an official and, I believe, an assistant
13 superintendent at (audio cutting out) ISD.

14 Q Okay.

15 THE REPORTER: I'm sorry. I'm sorry. The
16 paper movement is interfering with the audio, and if I
17 just miss a little piece of a sentence, I don't get what
18 you're saying.

19 THE WITNESS: Do you need me to repeat what I
20 said?

21 THE REPORTER: I got -- I missed a couple of
22 words at the beginning of the question too. It's -- we
23 might need to go back to the other audio system. This
24 one's not really working very good.

25 MR. NEWKIRK: Do you mind reading back just

1 what you have? My question was basically who -- who is
2 Paul McLarty.

3 THE REPORTER: I got that, and she said he is,
4 and then there was a little paper noise and so I heard
5 pieces of words, but I didn't hear the answer.

6 THE WITNESS: He is an official or assistant
7 superintendent, had some decision-making role at Clear
8 Creek ISD.

9 MR. NEWKIRK: All right, Ms. Carter, I'm not
10 going to touch this paper.

11 Q (By Mr. Newkirk) Ms. Johnson, reading the first
12 sentence, you write, "You are likely sick of hearing from
13 me but I have new information (it seems to have been
14 changing hourly today but have something constant now)."
15 Do you see that?

16 A Yes, sir.

17 Q What do you mean by "changing hourly"?

18 A Commissioner Clark -- I remember during that
19 time period where Commissioner Clark would make a
20 decision and then he would change that de- -- he'd get
21 with Nathan, and they'd come back with different
22 information. And eventually, I think I stopped even
23 making notes of what they were doing until they finally
24 reached final decision.

25 Q Final decisions about...

1 A Precinct names and so forth.

2 Q In your experience with redistricting, is it
3 common to receive frequent updates to precinct names and
4 conventions, or was this changing hourly unique to 2021?

5 A I had always been included at the very end of
6 this, not in the middle. Because we had so little time,
7 they were trying to give me as much information as they
8 could so we could proceed, because there was going to be
9 so much that we need to do in such a short time period.
10 So they were trying to accommodate my request to let me
11 change what I can so that then we can spend additional
12 time doing more complicated work later. So I've never
13 been included in this -- at this stage before and in the
14 middle of -- of being provided information continuously.

15 Q I understand. And do you agree that this email
16 exchange that we're looking at, but not touching, is only
17 about CCISD?

18 A This was communicating to CCISD the areas that
19 they needed to know what the precincts were going to be
20 so that they could make decisions, the board.

21 Q But these are the voting precincts that are
22 common to all --

23 A Yes, yes.

24 Q -- other entities?

25 A Well, they're -- as you recall, I was asking

1 these jurisdictions to try and change their boundaries in
2 conformance with the county commissioner voting
3 precincts, or the commiss- -- the voting precincts. And
4 so Mr. McLarty was trying really hard to accommodate that
5 request.

6 Q And down at your email, you write, second
7 paragraph, "Precinct 152 will be split down South Shore
8 Harbor Boulevard. One portion will remain 152 and the
9 other will receive a new number by November 29th." Do
10 you see that?

11 A Yes, sir, I do.

12 Q What's the significance of November 29th?

13 A At that point in time, that was the projected
14 date that was being given to me where the final numbering
15 conventions would be decided.

16 Q How -- when did you learn that November 29th
17 was going to be that -- the day that that happened?

18 A At some point during the conversations with --
19 with Commissioner Clark.

20 Q So would you agree that he sets the date --
21 that date?

22 A Yes, that was the part --

23 MS. OLALDE: Objection.

24 THE WITNESS: Oh, I'm sorry.

25 MS. OLALDE: Objection, that calls for (audio

1 cutting out).

2 A It's -- and he could very well have been
3 speculating as well that that was the target date that
4 they were trying to make this change.

5 Q (By Mr. Newkirk) Okay.

6 THE REPORTER: Could we go off the record,
7 please? I'm sorry, could we go off the record, please?

8 THE VIDEOGRAPHER: Current time is 5:19 p.m.
9 We're off the record.

10 (Recess.)

11 THE VIDEOGRAPHER: Current time is 5:21 p.m.
12 We are now back on the record.

13 MR. NEWKIRK: Kathy, I think the last thing I
14 said is I wanted to introduce U.S. Tab 16, but we could
15 actually scratch that and just introduce U.S. Tab 17.
16 And this will be my last exhibit.

17 MS. GARRETT: So I just did 16.

18 MR. NEWKIRK: Oh, okay. I think you can delete
19 it on Exhibit Share.

20 MS. GARRETT: Okay.

21 A Are you done with this one?

22 Q (By Mr. Newkirk) Yes.

23 MS. GARRETT: Sorry, I'm going to need
24 assistance from the concierge. The option to delete is
25 shaded out, so I can't delete it.

1 MR. MUNK: Certainly. I'll go ahead and delete
2 that for you right now.

3 MS. GARRETT: And can you just go ahead and add
4 17 as Exhibit 23?

5 Q (By Mr. Newkirk) Ms. Johnson, have you had a
6 chance to review this email exchange?

7 A Yes.

8 Q And you recognize it?

9 A Yes, I do.

10 Q And you agree that this is an exchange you've
11 had with Nathan Sigler on October 26th and 25th of 2021?

12 A Part of an exchange was between Kathleen Moreno
13 and -- and Nathan, and then I -- I was included, and I
14 did comment.

15 Q Okay. I'm looking at the first page. You
16 write to Mr. Sigler that he is the best and that he's
17 very helpful and had a professional and timely response
18 which made him a keeper, correct?

19 A Yes, sir.

20 Q And can you describe why you were very
21 complimentary of Mr. Sigler?

22 A Nathan was essential to this process. When he
23 saw the few tools that we had, he went out of his way to
24 accommodate us to give us anything that he had at his
25 disposal in order to make our job easier.

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1 Q And based on your interactions with him, do you
2 consider him very knowledgeable about the specific steps
3 needed to implement a redistricting plan?

4 MS. OLALDE: Objection, calls for speculation,
5 and also a legal conclusion.

6 But you can answer to the extent you're able.

7 A I think Nathan was very knowledgeable on his
8 part of the process, which was creating the maps and
9 geocoding the data. And then he became very aware of
10 what we needed in order to proceed with our part of it.

11 MR. NEWKIRK: Thank you. I just need a quick
12 second to make sure I got everything.

13 MS. OLALDE: Do you want to go off the record?

14 MR. NEWKIRK: I think I can do it in record
15 time on the record.

16 (Discussion off the record.)

17 MR. NEWKIRK: Just one quick question.

18 Q (By Mr. Newkirk) I -- earlier, you had said
19 that you ran into Commissioner Giusti at community
20 events.

21 A Yes, sir.

22 Q Do you remember saying that? What sort of
23 community events?

24 A Many of the elected officials get together
25 every December and have a big dinner we throw for anybody

1 who wants to come. And so we all chip in a little bit
2 and feed typically 4 to 600 people. And so we'd also see
3 each other at Chamber of Commerce events and -- and
4 that -- that was predominantly the local events that
5 would be held in -- in his particular precinct.

6 MR. NEWKIRK: Those are all the questions I
7 have, Ms. Johnson. Thanks --

8 THE WITNESS: Okay.

9 MR. NEWKIRK: -- so much for your time.
10 And apologies, Ms. Carter, for all the issues.

11 THE REPORTER: Thank you for working with me.

12 E X A M I N A T I O N

13 BY MS. OLALDE:

14 Q This is Angie Olalde. I just have one quick
15 question for you, Ms. Johnson.

16 Are you aware of the scope of Nathan Sigler's
17 work in the 2021 redistricting process? Do you know
18 exactly what he was doing?

19 A I truly do not know exactly what he was doing.
20 It was very technical, and I'm not a technical person.

21 Q Do you know what his instructions were in order
22 to do work in the 2021 redistricting plan?

23 A No, I do not know what his specific
24 instructions were.

25 MS. OLALDE: Okay. Defendants will reserve all

230

1 further questions.

2 THE VIDEOGRAPHER: Molly, do you need to get
3 anything for the record or anything?

4 THE REPORTER: No, that's fine. Thank you.

5 THE VIDEOGRAPHER: Okay. Current time is 5:27
6 p.m., and we're off the record.

7 (Discussion off the record.)

8 THE VIDEOGRAPHER: It's 5:28 p.m., and we're on
9 the record.

10 MS. COPPER: And apologies, Ms. Johnson, I
11 wanted to ask -- I know you had mentioned potential text
12 message communications with Mr. Drummond about the
13 timeline, and I wanted to ask your counsel -- we have not
14 received any text message communications between them as
15 part of your production, and so wanted to ask if you
16 could send anything that was -- that you find over.

17 MS. OLALDE: Absolutely. It's my understanding
18 that we've received any possible relevant text messages
19 and that they've been reviewed and produced as they are
20 requested in the lawsuit, so...

21 MS. COPPER: Thank you.

22 THE VIDEOGRAPHER: Time is 5:28 p.m., and we're
23 off the record.

24 (Deposition concluded at 5:28 p.m.)

25

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE SOUTHERN DISTRICT OF TEXAS
3 GALVESTON DIVISION

4 HONORABLE TERRY PETTEWAY, §
5 et al., §
6 Plaintiffs, §
7 VS. §
8 GALVESTON COUNTY, et al. §
9 Defendants. §
10 §
11 §
12 §
13 §
14 §
15 §
16 §
17 §
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25 §

10 - - - - -
11 REPORTER'S CERTIFICATION

12 ORAL DEPOSITION OF CHERYL JOHNSON

13 FEBRUARY 28, 2023
14 - - - - -

15 I, MOLLY CARTER, Certified Shorthand Reporter in and
16 for The State of Texas, hereby certify to the following:

17 That the witness, CHERYL JOHNSON, was duly sworn by
18 the officer and that the transcript of the oral
19 deposition is a true record of the testimony given by the
 witness;

20 I further certify that pursuant to FRCP Rule
21 30(e)(1), that the signature of the deponent:

22 XX was requested by the deponent or a party before
23 the completion of the deposition and returned within 30
24 days from date of receipt of the transcript. If
25 returned, the attached Changes and Signature Page

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1 contains any changes and the reasons therefor;

2 _____ was not requested by the deponent or a party
3 before the completion of the deposition.

4 I further certify that I am neither attorney nor
5 counsel for, related to, nor employed by any of the
6 parties to the action in which this testimony was taken.

7 Further, I am not a relative or employee of any attorney
8 of record in this cause, nor do I have a financial
9 interest in the action.

10 Certified to by me on this 1st day of March 2023.

11
12
13
14 <%12752,Signature%>
15
16 MOLLY CARTER, CSR, RPR, CRR
CSR NO. 2613, Expires 04/30/2024
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233

Angela Olalde, Esq.

aolalde@greerherz.com

March 1, 2023

Honorable Terry Petteway Et Al v. Galveston County, Texas Et Al

2/28/2023, Cheryl Johnson (#5759026)

The above-referenced transcript is available for review.

Within the applicable timeframe, the witness should read the testimony to verify its accuracy. If there are any changes, the witness should note those with the reason, on the attached Errata Sheet.

The witness should sign the Acknowledgment of
Deponent and Errata and return to the deposing attorney.
Copies should be sent to all counsel, and to Veritext at
cs-ny@veritext.com.

Return completed errata within 30 days from receipt of testimony.

If the witness fails to do so within the time allotted, the transcript may be used as if signed.

Yours,

Veritext Legal Solutions

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1 Honorable Terry Petteway Et Al v. Galveston County, Texas Et Al
2 Cheryl Johnson (#5759026)

3 E R R A T A S H E E T

4 PAGE _____ LINE _____ CHANGE _____

5 _____

6 REASON _____

7 PAGE _____ LINE _____ CHANGE _____

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9 REASON _____

10 PAGE _____ LINE _____ CHANGE _____

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12 REASON _____

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20 _____

21 REASON _____

22 _____

23 _____

24 Cheryl Johnson

Date

235

1 Honorable Terry Petteway Et Al v. Galveston County, Texas Et Al
2 Cheryl Johnson (#5759026)

3 ACKNOWLEDGEMENT OF DEPONENT

4 I, Cheryl Johnson, do hereby declare that I
5 have read the foregoing transcript, I have made any
6 corrections, additions, or changes I deemed necessary as
7 noted above to be appended hereto, and that the same is
8 a true, correct and complete transcript of the testimony
9 given by me.

10

11 _____

12 Cheryl Johnson

Date

13 *If notary is required

14 SUBSCRIBED AND SWORN TO BEFORE ME THIS

15 _____ DAY OF _____, 20____.

16

17 _____

18 NOTARY PUBLIC